

**THE CODE**  
**of**  
**DUPAGE COUNTY**  
**CHAPTER 36**

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General Enactments  
of the  
County of DuPage

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**THE DUPAGE COUNTY WATER SUPPLY AND DISTRIBUTION  
AND WASTEWATER TREATMENT ORDINANCE**

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Adopted, January 14, 1986

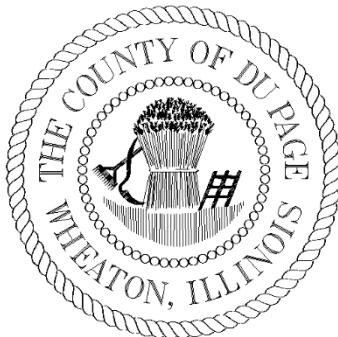
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Prepared by the DuPage County Public Works Committee  
and the DuPage County  
Department of Public Works



## **DUPAGE COUNTY WATER/WASTEWATER USE ORDINANCE**

This Ordinance Shall Be Known As The  
DUPAGE COUNTY WATER SUPPLY AND DISTRIBUTION,  
AND WASTEWATER TREATMENT ORDINANCE,  
And May Be Commonly Referred To As The  
“DUPAGE COUNTY WATER/WASTEWATER USE ORDINANCE”.

It is adopted pursuant to authority granted to the County of DuPage at Illinois Compiled Statutes, 55 ILCS 5/5-1113 and 5/5-15001, et seq., as now enacted or hereafter amended.

This Ordinance shall apply to all Water Supply and Distribution Systems and to all Wastewater Collection and Treatment Systems owned and/or operated by DuPage County.

All FIGURES referenced within this Ordinance are made a part hereof, and attached hereto, and appear in order as referenced within the Ordinance.

All FORMS referred to within this Ordinance are available from either the DuPage County Department of Public Works, 7900 South Rt. 53, Woodridge, Illinois 60517, phone (630) 985-7400; or the DuPage County Public Works, 421 North County Farm Road, Wheaton, Illinois 60187, phone (630) 407-6800.

Emphasis added at highlighted paragraphs.

## INDEX

<b><u>ARTICLE 1: GENERAL CONSIDERATIONS FOR WATER/WASTEWATER USE</u></b>	<b>11</b>
<b>SEC. 36-1. COUNTY OF DUPAGE, ILLINOIS STATUTORY AUTHORITY FOR THE IMPLEMENTATION AND ENFORCEMENT OF THE DUPAGE COUNTY WATER/WASTEWATER TREATMENT ORDINANCE</b>	<b>11</b>
<b>SEC. 36-2. GENERAL DEFINITIONS FOR WATER/WASTEWATER USE</b>	<b>13</b>
<b>SEC. 36-3 THROUGH 36-9 RESERVED</b>	<b>21</b>
<b><u>ARTICLE 2: USE OF WASTEWATER TREATMENT WORKS</u></b>	<b>22</b>
<b>SEC. 36-10. PROHIBITED DISCHARGE</b>	<b>22</b>
<b>SEC. 36-11. NOTICE OF UNAUTHORIZED USE</b>	<b>24</b>
<b>SEC. 36-12. SPILL PREVENTION AND SLUG CONTROL PLANS</b>	<b>25</b>
<b>SEC. 36-13. GREASE, OIL, AND SAND TRAPS</b>	<b>26</b>
<b>SEC. 36-14 THROUGH 36-19. RESERVED</b>	<b>29</b>
<b><u>ARTICLE 3: WASTEWATER/SEWER SERVICE CONNECTION PERMITS AND FEES</u></b>	<b>30</b>
<b>SEC. 36-20. FALSIFYING INFORMATION</b>	<b>30</b>
<b>SEC. 36-21. CONFIDENTIAL INFORMATION</b>	<b>30</b>
<b>SEC. 36-22. REQUIRED PERMITS-UNAUTHORIZED USE</b>	<b>30</b>
<b>SEC. 36-23. PERMITS ISSUANCE</b>	<b>31</b>
<b>SEC. 36-24. REMODELING AND RECONSTRUCTION</b>	<b>31</b>
<b>SEC. 36-25. CONNECTION PERMIT</b>	<b>31</b>
<b>SEC. 36-26. SEPARATE SERVICE</b>	<b>31</b>
<b>SEC. 36-27. INSTALLATION COSTS</b>	<b>31</b>
<b>SEC. 36-28. OLD SERVICE SEWERS</b>	<b>32</b>
<b>SEC. 36-29. MINIMUM REQUIREMENTS FOR SERVICE SEWERS</b>	<b>32</b>
<b>SEC. 36-30. PROHIBITED CONNECTIONS</b>	<b>33</b>
<b>SEC. 36-31. CONNECTION DISCONNECTION, RECONNECTION AND REPAIR</b>	<b>33</b>
<b>SEC. 36-32. SEWER LINE MAINTENANCE</b>	<b>34</b>
<b>SEC. 36-33. EXCAVATION FOR SERVICE SEWERS</b>	<b>35</b>
<b>SEC. 36-34. APPLICATION AND FEE</b>	<b>35</b>
<b>SEC. 36-35. APPLICATION FORM</b>	<b>35</b>
<b>SEC. 36-36. WASTEWATER CONNECTION FEE</b>	<b>36</b>
<b>SEC. 36-37. SPECIAL CONNECTION FEE</b>	<b>37</b>
<b>SEC. 36-38. COST PER RESIDENTIAL EQUIVALENT</b>	<b>37</b>



SEC. 36-123. POLLUTANT REPORTS.....	48
SEC. 36-124. NON-RESIDENTIAL WASTEWATER DISCHARGE PERMIT CONTENTS. .....	57
SEC. 36-125. INDUSTRIAL INSPECTIONS. ....	59
SEC. 36-126. EMERGENCY NOTIFICATION PROCEDURE. ....	60
SEC. 36-127. IDENTIFICATION OF DISCHARGE. ....	60
SEC. 36-128. RECORD KEEPING PROCEDURES. ....	60
SEC. 36-129. FALSIFYING INFORMATION. ....	61
SEC. 36-130. PROHIBITION OF DILUTION.....	61
SEC. 36-131. VIOLATION OF PRETREATMENT STANDARDS. ....	61
SEC. 36-132. ANNUAL PUBLICATION OF INDUSTRIAL USERS WHO HAVE BEEN IN OR WHO ARE IN SIGNIFICANT NONCOMPLIANCE.....	64
SEC. 36-133. NO DISCHARGE IN EXCESS OF LOCAL LIMITS. ....	64
SEC. 36-134. ADDITIONAL CHARGES AND FEES.....	65
<b><u>PART 3. ENFORCEMENT</u></b> .....	66
SEC. 36-135. ADMINISTRATIVE ENFORCEMENT REMEDIES. ....	66
SEC. 36-136. REVOCATION OR SUSPENSION OF PERMIT. ....	67
SEC. 36-137. SHOW CAUSE HEARING BEFORE THE PUBLIC WORKS COMMITTEE	68
SEC. 36-138. IMMEDIATE DISCONNECTION OF SERVICE. ....	68
SEC. 36-139. ELIMINATION OF DISCHARGE/REINSTATEMENT. ....	68
SEC. 36-140. REMEDIES. ....	69
SEC. 36-141. REMEDIES NON-EXCLUSIVE.....	72
SEC. 36-142 THROUGH 36-169 RESERVED. ....	72
<b><u>ARTICLE 5: PERMIT PROCESS TREATMENT AND DISPOSAL OF HAULED OR TRUCKED SEPTIC WASTE AND LANDFILL LEACHATE</u></b> .....	73
SEC. 36-170. POTW RECEIPT OF HAULED OR TRUCKED WASTES. ....	73
SEC. 36-171. WASTE TREATMENT AND DISPOSAL. ....	73
SEC. 36-172. WAIVERS. ....	73
SEC. 36-173. FORMS.....	73
SEC. 36-174. SAMPLING HAULED WASTES.....	73
SEC. 36-175. RIGHT TO REFUSE SEPTIC, LEACHATE, OR VACTOR WASTE .....	74
SEC. 36-176. WASTESTREAM ORIGINATION APPROVAL. ....	74
SEC. 36-177. LIST OF APPROVED SITES FROM WHICH WASTES MAY BE HAULED OR TRUCKED TO THE POTW. ....	74
SEC. 36-178. CAR WASH MUD AND GREASE TRAP CLEANINGS. ....	74
SEC. 36-179. WASTE DISPOSAL PRIVILEGES REVOKED. ....	74

SEC. 36-180. WASTE TREATMENT AND DISPOSAL FEES. ....	74
SEC. 36-181 THROUGH SEC. 36-199. RESERVED .....	74
<b><u>ARTICLE 6: SERVICE CHARGES FOR WASTEWATER TREATMENT</u></b> .....	75
SEC. 36-200. WASTEWATER SERVICE CHARGES. ....	75
SEC. 36-201. WASTEWATER USER CHARGE.....	75
SEC. 36-202. OTHER CONTRACTUAL SURCHARGES. ....	76
SEC. 36-203. SEWER MAINTENANCE CHARGE.....	76
SEC. 36-204. BASE CHARGE. ....	76
SEC. 36-205. WATER COMMISSION BUY IN FEE. ....	76
SEC. 36-206. MEASUREMENT OF VOLUME-METER REQUIREMENTS. ....	76
SEC. 36-207. NON-SEWER WATER EXEMPTION. ....	77
SEC. 36-208 THROUGH 36-249. RESERVED. ....	78
<b><u>ARTICLE 7. EXTENSION OF COUNTY WATER DISTRIBUTION OR WASTEWATER COLLECTION SYSTEMS</u></b> .....	79
SEC. 36-250. PERMITS REQUIRED FOR CONNECTION. ....	79
SEC. 36-251. APPLICATIONS, PERMITS, AND EASEMENTS FOR WATER DISTRIBUTION AND WASTEWATER SYSTEM EXTENSIONS. ....	79
SEC. 36-252. CONSTRUCTION OF WASTEWATER SEWER OR WATER MAIN EXTENSIONS. ....	79
SEC. 36-253. GOVERNMENT REGULATIONS. ....	80
SEC. 36-254. COUNTY INSPECTION. ....	80
SEC. 36-255. AS-BUILT DRAWINGS.....	81
SEC. 36-256. DEDICATION OF AN EXTENSION TO THE WATER DISTRIBUTION OR SANITARY SEWER SYSTEM. ....	81
SEC. 36-257. FINANCING WATER DISTRIBUTION OR SANITARY SEWER EXTENSIONS. ....	82
SEC. 36-258 THROUGH 36-299. RESERVED. ....	83
<b><u>ARTICLE 8: NEW COUNTY WELLS, TREATMENT SYSTEMS, AND STORAGE FACILITIES</u></b> .....	84
SEC. 36-300. NEW CONSTRUCTION.....	84
SEC. 36-301. APPLICATIONS AND REQUIRED DOCUMENTS. ....	84
SEC. 36-302. REQUIRED LAND ALLOCATIONS. ....	85
SEC. 36-303. OWNERSHIP OF WELLS, TREATMENT SYSTEM AND STORAGE FACILITIES. ....	85
SEC. 36-304. CONNECTION FEES. ....	85
SEC. 36-305. NON-METERED USAGE.....	86
SEC. 36-306. PAYMENTS SUBJECT TO THE PROVISION OF THIS ORDINANCE CONCERNING BILLING AND COLLECTION OF WATER/WASTEWATER	

FEES .....	86
SEC. 36-307 THROUGH 36-339. RESERVED. ....	86
<b><u>ARTICLE 9: WATER SERVICE LINES</u></b> .....	87
SEC. 36-340. SEPARATE SERVICES. ....	87
SEC. 36-341. WATER SERVICE MATERIALS AND INSTALLATION .....	87
SEC. 36-342. LOCATION OF CURB STOP (BUFFALO BOX).....	87
SEC. 36-343. SERVICE PIPES. ....	88
SEC. 36-344. RESPONSIBILITY FOR MAINTENANCE AND REPAIR. ....	88
SEC. 36-345. PERMIT FOR REPAIRS OR ALTERATIONS. ....	88
SEC. 36-346. RIGHT OF INSPECTION AND TESTING.....	89
SEC. 36-347. WATER CONSERVATION PRACTICES. ....	89
SEC. 36-348 THROUGH 36-369. RESERVED. ....	91
<b><u>ARTICLE 10: WATER METERS</u></b> .....	92
SEC. 36-370. WATER TO BE METERED. ....	92
SEC. 36-371. METER TYPE.....	92
SEC. 36-372. METER FURNISHED BY COUNTY. ....	92
SEC. 36-373. METER REQUIREMENTS. ....	92
SEC. 36-374. METER LOCATION. ....	93
SEC. 36-375. METER INSTALLATION.....	93
SEC. 36-376. SINGLE METER FOR MULTIPLE FAMILY BUILDINGS.....	93
SEC. 36-377. METER AND RADIO TRANSCEIVER MAINTENANCE AND REPAIR.....	93
SEC. 36-378. METER TESTING AND REPAIR.....	94
SEC. 36-379. METERS OWNED BY THE COUNTY.....	94
SEC. 36-380. FAULTY METERS.....	94
SEC. 36-381. LEAKAGE.....	94
SEC. 36-382. USE OF WATER FROM FIRE HYDRANT. ....	95
SEC. 36-383. UNAUTHORIZED USE OF UNMETERED WATER.....	95
SEC. 36-384 THROUGH 36-399. RESERVED. ....	95
<b><u>ARTICLE 11: WATER CONNECTION PERMITS AND FEES</u></b> .....	96
SEC. 36-400. APPLICATION AND FEE.....	96
SEC. 36-401. APPLICATION FORM.....	96
SEC. 36-402. WATER CONNECTION FEES. ....	96
SEC. 36-403. WATER METER INSTALLATION FEES.....	96
SEC. 36-404. RADIO TRANSCEIVER. ....	97
SEC. 36-405. DISPUTES AND PROTESTS. ....	97

SEC. 36-406. REFUNDING CONNECTION FEES.....	97
SEC. 36-407 THROUGH 36-419. RESERVED. ....	97
<b><u>ARTICLE 12: SERVICE CHARGES FOR USE OF WATER SYSTEM</u></b> .....	98
SEC. 36-420. WATER SERVICE CHARGE.....	98
SEC. 36-421. WATER CHARGES.....	98
SEC. 36-422. BULK SOFTENED WATER RATE.....	98
SEC. 36-423 THROUGH 36-449. RESERVED. ....	98
<b><u>ARTICLE 13: LIMITATIONS ON WATER USE</u></b> .....	99
SEC. 36-450. PERIOD OF REGULATION. ....	99
SEC. 36-451. ADMINISTRATIVE REGULATION OF WATER USE. ....	99
SEC. 36-452. PUBLIC NOTIFICATION OF ADMINISTRATIVE REGULATION OF WATER USE.....	99
SEC. 36-453. WATER USE FINES.....	100
SEC. 36-454 THROUGH 36-469. RESERVED. ....	100
<b><u>ARTICLE 14: BILLING &amp; COLLECTION OF WATER/WASTEWATER FEES</u></b> .....	101
SEC. 36-470. LIABILITY FOR PAYMENT FOR SERVICES. ....	101
SEC. 36-471. BILLING FOR SERVICES.....	101
SEC. 36-472. RETURNED CHECK AND CREDIT CARD CHARGE BACK FEE. ....	102
SEC. 36-473. TERMINATION OF SERVICE.....	102
SEC. 36-474. LIEN/NOTICE OF DELINQUENCY. ....	103
SEC. 36-475. COLLECTION OF UNPAID CHARGES.....	103
SEC. 36-476. REVENUE. ....	103
SEC. 36-477. ACCOUNTS.....	104
SEC. 36-478 THROUGH 36-489. RESERVED. ....	104
<b><u>ARTICLE 15: REVIEW OF WATER/WASTEWATER USER CHARGES</u></b> .....	105
SEC. 36-490. ANNUAL ADJUSTMENT OF WATER/WASTEWATER CHARGES.....	105
SEC. 36-491. COUNTY REVIEW OF USER CHARGES.....	105
SEC. 36-492. NOTICE OF RATES.....	105
SEC. 36-493. ACCESS.....	105
SEC. 36-494 THROUGH 36-499. RESERVED. ....	105
<b><u>ARTICLE 16: PROTECTION OF WATER/WASTEWATER FACILITIES</u></b> .....	106
SEC. 36-500. NO UNAUTHORIZED ENTRY INTO WASTEWATER SYSTEMS.....	106
SEC. 36-501. PENALTIES FOR USE OF UNMETERED WATER. ....	106
SEC. 36-502. NO UNAUTHORIZED OPERATION OF WATER SUPPLY OR DISTRIBUTION SYSTEM.....	106
SEC. 36-503. NO TAMPERING WITH WATER METER.....	106



SEC. 36-504. NO UNAUTHORIZED CONNECTION.....	106
SEC. 36-505. NO PRIVATE WATER SUPPLY CROSS CONNECTION.....	106
SEC. 36-506. TERMINATION OF WATER/WASTEWATER TREATMENT SERVICE FOR UNAUTHORIZED USE.....	106
SEC. 36-507. EMERGENCY AUTHORITY-INJUNCTIVE RELIEF. ....	107
SEC. 36-508. CRIMINAL COMPLAINT. ....	107
SEC. 36-509. FINES.....	107
SEC. 36-510. LIABILITY. ....	107
SEC. 36-511. CROSS-CONNECTION CONTROL PROGRAM.....	108
SEC. 36-512 THROUGH 36-599. RESERVED. ....	110
<u>ARTICLE 17: POWERS AND AUTHORITY OF INSPECTORS</u> .....	111
SEC. 36-600. INSPECTION OF USER'S PREMISES. ....	111
SEC. 36-601. OBSERVANCE OF SAFETY RULES.....	111
SEC. 36-602. ENTRY UPON PROPERTY-EASEMENTS.....	112
SEC. 36-603 THROUGH 36-659. RESERVED. ....	112
<u>ARTICLE 18: APPEAL AND VARIANCE PROCEDURE</u> .....	113
SEC. 36-660. RIGHT TO APPEAL AND VARIANCE. ....	113
SEC. 36-661 THROUGH 36-699. RESERVED. ....	114
<u>ARTICLE 19: VALIDITY</u> .....	115
SEC. 36-700. SEVERABILITY CLAUSE. ....	115
SEC. 36-701 THROUGH 36-719. RESERVED. ....	115
<u>ARTICLE 20: ORDINANCE IN FORCE</u> .....	116
SEC. 36-720. EFFECTIVE DATE.....	116
SEC. 36-721 THROUGH 36-749. RESERVED. ....	116
<u>ARTICLE 21: ILLINOIS DEPARTMENT OF PUBLIC HEALTH AND DUPAGE COUNTY PUBLIC HEALTH DEPARTMENT RULES INCORPORATED BY REFERENCE</u> .....	117
SEC. 36-750. WATER WELL PUMP INSTALLATION CODE.....	117
SEC. 36-751. WATER WELL CONSTRUCTION CODE. ....	117
SEC. 36-752. ADOPTION OF PRIVATE SEWAGE DISPOSAL ORDINANCE.....	117
SEC. 36-753. MORTGAGE SURVEY INSPECTION AND FEE. ....	117
SEC. 36-754 THROUGH 36-799. RESERVED. ....	117
<u>ARTICLE 22: REPEALER</u> .....	118

## **FIGURES**

- FIGURE A:        WASTEWATER LOCAL LIMITS
- FIGURE B:        GREASE TRAP BASIN LIMITS
- FIGURE C:        SEWAGE FLOW GUIDE
- FIGURE D:        WATER/WASTEWATER USE CHARGES

**ARTICLE 1: GENERAL CONSIDERATIONS FOR WATER/WASTEWATER USE**

**Sec. 36-1. COUNTY OF DUPAGE, ILLINOIS STATUTORY AUTHORITY FOR THE IMPLEMENTATION AND ENFORCEMENT OF THE DUPAGE COUNTY WATER/WASTEWATER TREATMENT ORDINANCE**

Pursuant to the authority granted by the Illinois General Assembly at Chapter 55 of the Illinois Compiled Statutes, detailed below, the County of DuPage herein adopts and sets forth the DuPage County Water/Wastewater Treatment Ordinance.

The County of DuPage from time to time shall amend the Water/Wastewater Treatment Ordinance as required to achieve compliance with STATE and Federal Pretreatment Regulations, to provide for specific provisions and requirements in the Ordinance, and to make any other changes deemed necessary by the County of DuPage.

- A. General powers of the County Board.  
Illinois Compiled Statutes, 1992, Chapter 55, paragraph 5/5-15007, (Illinois Revised Statutes, 1991, Chapter 34, paragraph 5-15007).

In order to protect the quality of the environment and the quality of life from the adverse effects caused by the improper storage treatment or disposal of waste, the County Board is authorized and empowered to operate or maintain the works or the waste management system of the COUNTY and to construct all related appurtenances. The County Board shall have the power to produce, pump and sell waters so collected and impounded to public or private users and may use such means as are reasonably necessary in connection with such service.

- B. Establish Department of Public Works.  
Illinois Compiled Statutes, 1992, Chapter 55, paragraph 5/5-15003, (Illinois Revised Statutes, 1991, Chapter 34, paragraph 5-15003).

The County Board may establish a Department of Public Works with authority to exercise complete supervision in the COUNTY over any of the authorized projects.

- C. Furnish water and sewerage service.  
Illinois Compiled Statutes, 1992, Chapter 55, paragraph 5/5-15010 (Illinois Revised Statutes, 1991, Chapter 34, paragraph 5-15010).

The COUNTY may furnish water, sewerage service, combined water and sewerage service or waste management service. Any COUNTY which owns and operates a water works system, a sewerage system, a combined waterworks and sewerage system, or a waste management system may enter into and perform contracts with any municipality, public utility or other corporation, or any person or firm, for the furnishing by the COUNTY of water, sewerage service, combined water and sewerage service, or waste management service.

D. Construction and maintenance of sewers.

Illinois Compiled Statutes, 1992, Chapter 55, paragraph 5/5-15011 (Illinois Revised Statutes, 1991, Chapter 34, paragraph 5-15011).

The COUNTY is authorized to construct, maintain, alter and extend its sewers, pipelines, channels, ditches and drains along, upon, under and across any highway, street, alley or public ground in the STATE as a proper use of highways, but so as not to incommode the public use thereof, and the right and authority are granted to the COUNTY to construct, maintain and operate any conduits, main pipe or pipes, wholly or partially submerged, buried, or otherwise, in upon and along any of the lands owned by the STATE and under any of the public waters therein.

E. Rates and charges.

Illinois Compiled Statutes, 1992, Chapter 55, paragraph 5/5-15020 (Illinois Revised Statutes, 1991, Chapter 34, paragraph 5-15020).

Rates and charges for the use and service of the waterworks properties or sewage facilities acquired by any COUNTY shall be sufficient at all times to pay the cost of maintenance and operation, to pay the principal and interest of all revenue bonds and loans issued under the provisions of this Department, to provide a reasonable depreciation fund as established pursuant to the provisions of the ordinance authorizing the issuance of any revenue bonds, and to maintain such other reserves and sinking funds as may be deemed necessary or desirable by the COUNTY for the payment of the bonds of the extension or improvement of the waterworks properties or sewage facilities or combination thereof, as the case may be and the holder of any bond or bonds or any of the interest coupon or coupons of any revenue bonds of any such COUNTY may in any civil action, mandamus, injunction or other proceeding enforce and compel the performance of all duties required by this Department and the covenants and undertakings set forth in any bond ordinance including the making and collection of sufficient rates and charges for the use or service of the waterworks properties, sewage facilities, waste management systems and the proper application of the income and revenue there from.

F. Rules and regulations, liens/discontinuance of service.

Illinois Compiled Statutes, 1992, Chapter 55, paragraph 5/5-15021 (Illinois Revised Statutes, 1991, Chapter 34, paragraph 5-15021).

Rules and regulations governing the maintenance and operation of the waterworks properties or sewage facilities, as the case may be, shall be established from time to time by ordinance, and rates and charges for use and service for all purposes, including charges to connect to such properties or facilities, and which may include the imposition of interest and penalties for failure to make payments when due, except for charges or rates established by contract for a wholesale supply of water as herein authorized shall be established, revised, maintained, be due and payable, and be in force as the County Board may determine by separate ordinances, and rates or charges established by the board shall not be subject to any statutory regulations covering rates and charges for similar service by privately owned waterworks, or sewage facilities.

Rates and charges for the use and service of the COUNTY'S waterworks properties and sewage facilities (except for rates or charges for a wholesale supply of water or wholesale sewerage service as herein authorized) shall be liens upon the real estate to which water or sewerage service is supplied whenever the rates or charges become delinquent as provided by an ordinance of the COUNTY fixing a delinquency date. A lien is created under the preceding sentence only if the COUNTY sends to the owner or owners of record of the real estate, as referenced by the taxpayer's identification number, (i) a copy of a delinquency notice sent to the person who is delinquent in paying the charges or rates or other notice sufficient to inform the owner or owners of record, as referenced by the taxpayer's identification number, that the charges or rates have become delinquent and (ii) a notice that unpaid charges or rates may create a lien on the real estate under this Section.

The payment of rates and charges for water services to any premises may be enforced by discontinuing the water service to such premises, and the payment of charges for sewerage service to any premises may be enforced by discontinuing either the water or the sewerage service to such premises or both. Any public or municipal corporation or political subdivision of the STATE furnishing water to a premises shall discontinue such service upon receiving written notice from the COUNTY that a rate or charge for sewerage service has become delinquent, and shall not resume water service until receiving a like notice that such delinquency has been removed. The COUNTY shall reimburse any such public or municipal corporation or political subdivision of the STATE for the reasonable cost of any such discontinuance and resumption of water service. The COUNTY may contract with any privately owned public utility for the discontinuance of water service to a premises on account of which a rate or charge for sewerage service has become delinquent.

G. Power to execute.

Illinois Compiled Statutes, 1992, Chapter 55, paragraph 5/5-1113 (Illinois Revised Statutes, 1991, Chapter 34, paragraph 5-1113).

Ordinance and rules to execute power; limitations on punishments. The County Board may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to the COUNTY, with such fines or penalties as may be deemed proper except where a specific provision for a fine or penalty is provided by law. No fine or penalty, however, except civil penalties provided for failure to make returns or to pay any taxes levied by the COUNTY shall exceed \$1,000.00.

**Sec. 36-2. GENERAL DEFINITIONS FOR WATER/WASTEWATER USE**

(By Alphabetical Reference)

Refer to **Article 4** of this Ordinance for definitions of industrial monitoring and pretreatment terms.

Unless the context specifically indicates otherwise, the meaning of terms used in the Ordinance shall be as follows, and if a term is not defined within this Ordinance, it shall have the common dictionary meaning:

**ACCOUNT HOLDER** means that person whose name is listed on the COUNTY'S billing system for water or wastewater services.

**ADMINISTRATOR** means the Administrator of the U.S. Environmental Protection Agency.

**AMALGAM SEPARATOR** means a device designed to capture amalgam particles from dental office wastewater through sedimentation, filtration, centrifugation, or a combination of these mechanisms. Some separators may also use ion exchange technology to remove mercury from wastewater.

**APPROVAL AUTHORITY** means the appropriate Director of the Illinois Environmental Protection Agency, (Illinois has an approved National Pollutant Discharge Elimination System (NPDES) Pretreatment Program). In a non-NPDES state, without an approved STATE Pretreatment Program, the approval authority would be the appropriate regional administrator.

**BIOCHEMICAL OXYGEN DEMAND (BOD)** means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees centigrade, expressed in milligrams per liter (mg/l).

**CHEMICAL OXYGEN DEMAND (COD)** means a measure of the oxygen consuming capacity of inorganic and organic matter present in water or wastewater. It is expressed as the amount of oxygen consumed from a chemical oxidant in a specified test. It does not differentiate between stable and unstable organic matter and thus does not necessarily correlate with biochemical oxygen demand. Also known as OC and DOC, oxygen consumed and dichromate oxygen consumed, respectively.

**COMPOSITE SAMPLE** means a sample of wastewater taken at selected intervals based on a flow proportional or time proportional method.

**CONNECTED PREMISES** means any structure, building or facility connected to the DuPage County Water Supply and Distribution Systems or to County Wastewater Treatment Works.

**CONNECTIONS AVAILABLE** means the total number of residential equivalent connections available within the wastewater treatment works.

**CONNECTION FEE** means a one-time charge billed to any user of the wastewater treatment works or water works system for a permit to connect to the system.

**CONSULTING ENGINEER** means an Illinois licensed professional engineer hired by the County of DuPage to determine appropriate connection fees to be charged by the Public Works Department or to provide engineering services related to Public Works projects.

**CONTROL MANHOLE** means a structure located on private property or on a public right-of-way adjacent to or abutting a site from which waste(s) discharged from a single facility are flowing through.

**COUNTY** means the County of DuPage, Illinois, by and through the DuPage County, Department of Public Works.

**DEADLINES FOR SUBMITTAL OF REPORTS AND INFORMATION** required under this Ordinance or the COUNTY'S Enforcement Response Plan shall be considered met if the required report or information is received or postmarked by the due date.

**DEBT SERVICE CHARGES** means the annual principal and interest payments on all outstanding revenue bonds or other long-term capital debts.

**DEPARTMENT PROCESSING FEE** means a one-time charge billed to any user of the wastewater treatment works or water works system for processing a connection application, inspection for reconnection or repair and any connection fee reimbursement request.

**DEPUTY DIRECTOR** means the Director/Superintendent of the DuPage County Department of Public Works, or their designee.

**DIRECTOR** means the Deputy Director/Superintendent of the DuPage County Department of Public Works, or their designee.

**EASEMENT** means an acquired legal right for the specific use of land owned by others.

**EFFLUENT CRITERIA** are defined in any applicable "NPDES Permit."

**EPA** may refer to the USEPA, the IEPA, or both.

**EXISTING CONNECTIONS** means the average of residential equivalents connected to the COUNTY'S wastewater treatment works in the year prior to the year in which the connection fee is determined.

**EXCESSIVE STRENGTH SURCHARGES** means an additional charge which is billed to "Industrial Users" (see **Section 36-74** for definition) for treating wastewater with an average strength in excess of normal domestic sewage.

**FEDERAL ACT** means the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), as amended by the Federal Water Pollution Control Act Amendments of 1972 (P.L. 92-500) and the Clean Water Act of 1977 (P.L. 95-217) and regulations adopted thereunder, or latest adopted revisions.

**FEDERAL GRANT** means U.S. Government participation in the financing of the construction of treatment works as provided for by any federal moneys used for the construction of Public Works projects.

**FIRE SUPPLY LINE** means the water supply line dedicated solely for fire protection from the water main directly to the fire suppression system.

**FLOATABLE OIL** means oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable oil, fat, or grease if it is properly pretreated, and the wastewater does not interfere with the collection system.

**GARBAGE** means any refuse or materials including but not limited to the following: putrescible animal and vegetable wastes resulting from the handling, preparation, cooking, sale, or consumption of food; glass or metal containers, products or objects discarded as no longer useable; and paper, wood, and cardboard waste.

**GRAB SAMPLE** means a sample which is taken from a wastestream on a one-time basis without regard to the flow in the wastestream and without consideration of time.

**GREASE, OIL AND SAND TRAPS** means constructed devices, and their appurtenant surfaces and working parts, having the function of removing fats, oils and grease from wastewaters before such wastewaters are discharged to the COUNTY'S sanitary sewer system.

**GREASE TRAP SLUDGE** means the fats, oils, grease and other matter collected by any grease trap or substance trap installed in a regulated grease trap facility.

**GREASE TRAP SLUDGE HAULER** means any person licensed and authorized by any agency of the State of Illinois to remove and/or haul grease trap sludge.

**IEPA** means the Illinois ("State") Environmental Protection Agency.

**INTEREST PAYMENTS and FINANCE CHARGES** means the total incurred cumulated interest and finance costs for construction, which creates additional capacity within the system, beginning with the year 1981.

**INTEREST RECOVERY FEE** means a one-time charge billed to any user of the wastewater treatment works for recovery of a pro rata share of interest payments and finance charges.

**LABORATORY DETERMINATIONS** means measurements, tests, and analyses of the characteristics of waters and wastes in accordance with procedures set forth by the Environmental Protection Agency in 40 CFR Part 136, dated July 1, 1994 or latest adopted revisions.

**LETTER OF COMPLIANCE** means a letter giving approval to move forward with the project.

**MAY** means is permissible.

**MILLIGRAMS PER LITER (mg/l)** means a unit of the concentration of water or wastewater constituents. It is 0.001 g of the constituent in 1,000 ml of water.



**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS**

means any permit or equivalent document or requirements issued by the Administrator, after enactment of the Federal Water Pollution Control Amendments of 1972, or Clean Water Act of 1977, to regulate the discharge of pollutants pursuant to **Section 402** of the Federal Act.

**NON-DOMESTIC USAGE** may include but are not limited to process rinse waters and wastewaters, excessive food and beverage wastes, discharges of cooling waters which contain chemicals which may be harmful to the treatment plants and/or sewer system, special cleaning solutions which may be corrosive or which may contain toxic organic chemicals.

**NON-METERED USAGE CHARGE** means the minimum usage charged to a customer that is connected to water and/or sewer service without the use of a valid water meter.

**NORMAL DOMESTIC SEWAGE** (for the purpose of determining surcharges) means wastewater having an average daily concentration of not more than 220 milligrams per liter (mg/l) of five (5) day "Biochemical Oxygen Demand" (BOD) and not more than 240 milligrams per liter (mg/l) of "Suspended Solids" (SS). This comes from normal washing, cleaning, and washroom activities, kitchen activities, and cooling water, which does not contain anything toxic which, if discharged into the sewer system, would constitute a violation of this Ordinance.

**ORDINANCE** means this Ordinance, the DuPage County Water Supply and Distribution and Wastewater Treatment Ordinance, and may be commonly referred to as the "DuPage County Water/Wastewater Treatment Ordinance".

**OPERATION AND MAINTENANCE COSTS** means all costs necessary to provide adequate wastewater collection, transportation, and treatment on a continuing basis, in order to produce an effluent discharge to the receiving waters that conforms to all related Federal, STATE, and local requirements.

**OTHER CONTRACTUAL SURCHARGES** means an amount billed to those users that are affected by an agreement between the County of DuPage and a second party, the user or a special user class.

**PERSON** means an individual, partnership, joint stock company, trust, estate, or any other legal entity (public or private) or their legal representatives, agent, or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.

**"pH"** means a measure of the acidity or alkalinity of a solution.

**PPM** means parts per million by weight.

**POPULATION EQUIVALENT (PE)** means the evaluation of the impact of industrial or other waste on a treatment works or stream. One population equivalent is 100 gallons of sewage per day, containing no more than 220 mg/l of five (5) day BOD and 240 mg/l of SS.

**POTENTIAL INDUSTRIAL USER** means a user which is not classified as an Industrial User, but which user could potentially discharge non-domestic waste (as defined herein) into the COUNTY'S sanitary sewer system.

**PROPERLY SHREDDED GARBAGE** means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particles greater than one-half (1/2) inch, (1.27 centimeters) in any dimension.

**PUBLIC WORKS COMMITTEE** means the committee of elected DuPage County Board members as assigned by the County Board Chairman and as approved by the County Board, responsible for direction pertaining to the operations of the Department of Public Works.

**PUBLICLY OWNED TREATMENT WORKS or POTW** means a treatment works as defined in **Section 212** of the Federal Act, which is owned by the STATE or a municipality (as defined in **Section 502(4)** of the Federal Act). This definition includes any devices and systems owned by the County of DuPage used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW owned and operated by the County of DuPage.

**PUBLIC SEWER** means any sanitary sewer provided by or subject to the jurisdiction of the County of DuPage. It shall also include sewer within or outside the COUNTY boundaries, including sewers within municipal boundaries that serve one or more persons and ultimately discharge into the COUNTY sanitary sewerage system, even though those sewers may not have been constructed with COUNTY funds.

**REGULATED GREASE TRAP FACILITY** means a place, whether inside or outside a building, including the parcel of real estate upon which it is located, excluding any building which is used solely for residential purposes, where there is an operation or process working which involves the manufacture, processing or preparation of food or food products and which discharges fats, oils, grease and other matter which would be collected by a grease trap or substance trap.

**REPLACEMENT COSTS** means the expenditures for obtaining and installing equipment, accessories, or appurtenances to maintain the design capacity and performance during the service life of the wastewater treatment works.

**RESIDENTIAL EQUIVALENT (RE)** means a unit of measure equivalent to the flow of 350 gallons per day, or 3.5 P.E., or 10,500 gallons per month, of normal domestic strength sewage into sewers owned or operated by the County of DuPage or sewers tributary to sewage treatment units owned by the County of DuPage.

**REVENUE BOND COSTS** means the annual principal, interest, and reserves for payments on all outstanding revenue bonds or other long-term capital debts.

**RIGHT OF WAY** means the strip of land over which facilities such as highways, railroads, or power lines are built. No private property shall be located in the public right of way, such as but not limited to, sprinklers, dog fences, etc. as it will not be the responsibility of the COUNTY to repair or replace such items.

**SANITARY SEWER SYSTEM** means a sewer that conveys sewage or industrial wastes, or a combination of both, and into which storm, surface, and groundwaters or unpolluted waters are not intentionally admitted. For the purposes of this Ordinance, sanitary sewer system shall refer to those systems owned by the COUNTY, but which may or may not necessarily discharge into a COUNTY owned POTW.

**SERVICE SEWER** means the service extension from the building to the public sewer or other place of disposal.

**SEWER** means a pipe or conduit for conveying sewage.

**SEWER MAINTENANCE CHARGES** means a minimum charge billed to all users connected to the COUNTY owned and maintained collection sewers.

**SEWERAGE** means the system of sewers and appurtenances for the collection, transportation, pumping and treatment of sewage.

**SHALL** means is mandatory.

**SINGLE FAMILY DWELLING UNIT** means a single family residence, or each apartment unit or each condominium unit in a multifamily building receiving an individual bill.

**SLUDGE** means the residue materials that are removed or withdrawn from the wastewater treatment process.

**SPECIAL CONNECTION FEE** means that fee assessed to cover total COUNTY expenditures associated with installation of the sanitary sewer and, or, water main extensions for service of a particular area, by which fee is assessed in addition to the Connection Fee. Special connection fees shall be determined by the Superintendent based on total COUNTY expenditures allocated amongst the serviced properties using such methodology as deemed appropriate by the Superintendent in each particular instance.

**STANDARD SPECIFICATIONS** means the "Standard Specifications for Water and Sewer Main Construction in Illinois," latest edition.

**STATE** means the State of Illinois.

**STATE ACT** means the Illinois Environmental Protection Act, Public Act 76-2429, and regulations adopted thereunder, Illinois Compiled Statutes, 1992, Chapter 415, paragraph 5/1 et seq. (Ill. Rev. Stat. 1991, Chap. 111-1/2, Par. 1001 et seq.).

**STATE GRANT** means State of Illinois participation in the financing of the construction of treatment works as provided for by the Illinois Antipollution Bond Act, and for making such grants as filed with the Secretary of the State of Illinois.

**STORM SEWER** means a sewer that carries storm, surface, and groundwater drainage, but excludes sewage and industrial wastes other than unpolluted cooling water.

**SUPERINTENDENT** means the Deputy Director/Director of the DuPage County Department of Public Works, or their designee.

**SUSPENDED SOLIDS (SS)** means solids that either float on the surface of, or are in suspension in water, sewage, or industrial waste, and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in "Laboratory Determinations".

**TOTAL ANNUAL BILLABLE FLOW** means the sum of all users' sewage flow, including commercial, institutional, and governmental flows discharged to the wastewater treatment works, as determined by metered water consumption and the estimated annual flow from all private wells.

**TOTAL NET EQUITY** means the total assets of the COUNTY'S wastewater treatment works, minus the related liabilities, as determined by the annual audit of the year prior to the year in which the connection fee is determined.

**UNAUTHORIZED PERSONS** means any person, as defined above, not possessing a valid wastewater discharge permit or water supply distribution permit from the DuPage County Department of Public Works.

**UNPOLLUTED WATER** means water of quality equal to or better than the effluent criteria in effect, or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

**USEPA** means the United States Environmental Protection Agency.

**USER** means any user, industrial, potentially industrial or otherwise, of the COUNTY'S Water Supply and Distribution System and Wastewater Treatment System.

**USER CHARGE** means a charge billed to all users of the wastewater treatment works and water system for the cost of operation, maintenance, and replacement.

**WASTEWATER** means the spent water of a community. It may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any ground water, surface water, and storm water that may inadvertently be present. "Sewage" is used interchangeably herein with "wastewater".

**WATER QUALITY STANDARDS** are defined in the Water Pollution Regulations of Illinois adopted under the STATE Act.

**WASTEWATER SERVICE CHARGE** means a minimum charge billed to all users from the date any user connects to the wastewater treatment works.

**WASTEWATER TREATMENT WORKS** means any devices and systems used in the transportation, storage, treatment, recycling, and reclamation of sewage, including outfall sewers, intercepting sewers, sewage collection systems, pumping systems, and their appurtenances, including land that is occupied by the treatment units.

**WATER SERVICE CHARGE** means a minimum charge billed to a landowner or developer of a new subdivision for each platted lot, from the date on which the COUNTY awards the contracts to construct COUNTY-constructed wells, treatment, or storage facilities.

**WATERCOURSE** means any outlet of surface water drainage into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

**WORKING DAYS** means Mondays through Fridays, 7:00 am - 4:00 pm.  
("DAYS" shall refer to each calendar day.)  
(Business hours shall mean 8:00 am - 4:00 pm.)

**Sec. 36-3 through 36-9 RESERVED**

## **ARTICLE 2: USE OF WASTEWATER TREATMENT WORKS**

### **Sec. 36-10. PROHIBITED DISCHARGE**

- A. No person shall discharge, or cause to be discharged, any storm water, surface water, groundwater, roof runoff, sump pump discharge, or subsurface drainage waters to any sanitary sewer. Prohibited discharges to any public wastewater treatment works shall include but not be limited to the following described waters, wastes, or substances:
1. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas; or any other substances which by reason of their nature or quantity may create a fire or explosion hazard or be injurious to the POTW or to the operation of the POTW, including but not limited to, wastestreams with a closed cup flashpoint of less than 1400 Fahrenheit or 600 Centigrade using the test methods specified in 40 CFR Part 261.21.
  2. Any waters or wastes containing toxic or poisonous solids, liquids, or gases, vapors, and fumes, in sufficient quantity, either singularly or by interaction with other wastes, so as to:
    - a. injure or interfere with any sewage treatment process or worker, or entry into sewers for maintenance and repair;
    - b. constitute a hazard to humans or animals;
    - c. create a public nuisance; and/or
    - d. create any hazard in the receiving water of the wastewater treatment works.
  3. Any waters or wastes having a pH lower than 5.0 or greater than 12.0 excessive quantities of material discharged over 10.5, however, may be restricted if damage to the sewer system or treatment plant operational problems are found to result from this excessive discharge.
  4. Solid or viscous substances in quantities or of such size as being capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater treatment works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, unground garbage (\* refer to paragraph below) paper dishes, cups, milk containers, whole blood, paunch manure, hair, fleshings, body parts, entrails, etc., either whole or ground by garbage grinders; \*or any garbage that has not been properly shredded, (as defined in **Sec. 36-2** of this Ordinance) unless approved by the Superintendent. (The installation and operation of any garbage grinder

equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Superintendent).

5. Substances which may solidify or become viscous at temperatures between thirty-two degrees Fahrenheit (32<sup>0</sup>F), (zero degrees centigrade (0<sup>0</sup>C)), and one hundred four degrees Fahrenheit (104<sup>0</sup>F), (forty degrees centigrade (40<sup>0</sup>C)), in such volumes that they may plug the sewer line, or in such volumes that they may cause obstructions to the flow in sewers, or may cause other interferences with the proper operation of the wastewater treatment works.
6. Any radioactive wastes or isotopes of such half-life or concentrations as may exceed limits established by applicable STATE or Federal regulations.
7. Materials in excess of the DuPage County Local Limits as set forth in **FIGURE A, Wastewater Local Limits**, or any other applicable STATE or Federal Regulations.
8. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts in excess of 100 mg/l.
9. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are not in compliance with **Article 4**, or are amenable to treatment only to such degree that the sewage treatment unit effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters, or may cause interference as defined herein at Sec. 36-75.
10. Materials which exert or cause:
  - a. Concentrations of inert suspended solids (such as, but not limited to Fullers earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium sulfate) which adversely affect the wastewater treatment works;
  - b. Excessive discoloration (such as, but not limited to dye wastes and vegetable tanning solutions) which is nonbiodegradable and/or passes through the treatment facility into the receiving water;
  - c. Ammonia Nitrogen, BOD, SS, COD, or chlorine requirements in such quantities as to constitute a load on the sewage treatment works above its design capabilities, and/or which may interfere with the operation of the sewage treatment works, contributing to pass through or causing a POTW NPDES permit violation, or violation of other applicable Federal and STATE standards; or any pollutant that is discharged at a flow or concentration that causes interference.

11. Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW exceeds 40°C (104°F).
12. Any Toxic Organic Substance, especially those generally considered to be insoluble in water, except as expressly regulated by permit from the COUNTY (see SEC36-124.E).
13. Amalgam – United States Environmental Protection Agency (EPA) put into effect on July 14, 2017, Dental Rule (40 CFR 441) that requires all dental offices (including existing) to install amalgam separator with a 95% removal efficiency and submit certification

For more information see USEPA's Dental Effluent Guidelines website

- B. No person shall discharge to the sewer system any other substances, materials, waters, or wastes, if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewer, sewage treatment process, or equipment, have any adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In formation of the Superintendent's opinion as to the acceptability of other wastes, the Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewer, materials of which the sewers are constructed, nature of the sewage treatment process, capacity of the sewage treatment units, degree of treatability of wastes in the sewage treatment units, and maximum limits established by local, state, and federal regulatory agencies.
- C. In those sanitary sewer systems which appurtenances are owned by the COUNTY, however, which may not necessarily discharge into a COUNTY POTW, wastes which could cause damage or blockage to the COUNTY'S devices or appurtenances are prohibited from discharge (i.e. Glen Ellyn Heights Sanitary Sewer System).
- D. For discharges or proposed discharges which are prohibited as defined in **Section 36-10 A and B** above, the Superintendent shall:
  1. Require pretreatment as specified in **Article 4**; or
  2. Require control over the quantities and rates of discharge of the waste.

#### **Sec. 36-11. NOTICE OF UNAUTHORIZED USE**

- A. Any officer, employee, or agent of a user, Potential Industrial User, or Industrial User of the wastewater treatment works shall notify the COUNTY by telephone immediately, or as soon as possible, after the discovery of any unusual flows or prohibited wastes as defined in **Section 36-10** of this Ordinance that are discharged accidentally or otherwise to the wastewater treatment system.



- B. An Industrial User shall submit to the COUNTY, a written notification of any unusual discharge within twenty-four (24) hours. An Industrial User shall have procedures to follow should a spill occur and develop remedies to prevent future recurrence of such spills.

#### **Sec. 36-12. SPILL PREVENTION AND SLUG CONTROL PLANS**

- A. Industrial Users shall provide protection from accidental discharge of materials which may interfere with the POTW by developing spill prevention plans. Facilities necessary to implement these plans shall be provided and maintained at the owner's or Industrial User's expense. Spill prevention plans, including the facilities and the operating procedures, shall be approved by the COUNTY before construction of the facility.
- B. Industrial Users that store hazardous substances shall not contribute to the POTW after the effective date of this Ordinance if a required spill prevention plan has not been approved by the COUNTY. Approval of such plans shall not relieve the Industrial User from complying with all other laws and regulations governing the use, storage, and transportation of hazardous substances.
- C. The COUNTY shall evaluate each Significant Industrial User at least once every two years, and other Industrial Users as necessary, to determine whether such Industrial User needs a plan to control slug discharges. If the COUNTY decides that a slug control plan is needed, the plan shall contain, at a minimum, the following elements:
  - 1. Description of discharge practices, including no routine batch discharges;
  - 2. Description of stored chemicals;
  - 3. Procedures for immediately notifying the COUNTY of slug discharges including any discharge prohibited under **Section 36-10** of this Ordinance with procedures for follow-up written notification within seven (7) working days;
  - 4. If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.
  - 5. If in the opinion of the Superintendent, a Potential Industrial User exhibits practices whereby non-domestic wastes may be discharged into the COUNTY'S sanitary sewer system, the Superintendent may require the Potential Industrial User to develop and to submit to the COUNTY a Spill Prevention and Slug Control Plan.

**Sec. 36-13. GREASE, OIL, AND SAND TRAPS**

Grease traps will be sized according to Illinois State Plumbing Code;

- A. Grease, oil and/or sand traps shall be provided by any person, who constructs or operates a facility connected or tributary to the COUNTY'S wastewater treatment system, which facility manufactures, processes or prepares food or food products. Auto/truck repair and service facilities, car washes, machine shops, and other facilities which use, handle, or generate wastes containing non-food oils and greases in concentrations greater than 100 mg/l, will also be required to install appropriate traps as described in paragraph B. Additional pretreatment, such as oil, water, and sludge separators, may also be required if the installed grease traps are not adequate for the waste load and type. All grease traps, installed in facilities defined in this paragraph and paragraph D. are considered regulated grease traps. In the opinion of the Superintendent, grease traps may also be required at any other type of facility or location where there is potential for oils and greases to be discharged in the COUNTY'S wastewater treatment system. Grease, oil or sand traps shall be installed, operated and maintained by said facility owner/operator at no expense to the COUNTY.
- B. All grease traps shall be of the type and capacity as approved by the Superintendent, and shall be situated in a location which is readily and easily accessible for cleaning and inspection.
- C. No chemical or biological agents may be discharged or placed into the grease trap which will cause grease to emulsify, unless it is demonstrated that these pollutants are converted entirely into materials which are readily degraded at the treatment plant. Where these products are used to chemically or biologically alter the oil and grease, the user may be subject to extra sewer charges as set forth in this ordinance, because of the increased strength of the discharge. Such situations shall be explicitly regulated by the issuance of a Non-Residential Discharge Permit.
- D. All new facilities shall be required to install triple basin (three catch basin) grease traps, or other type and capacity grease trap, as approved by the Superintendent, in a location external to the facility or in a location as otherwise approved by the Superintendent, which is readily and easily accessible for cleaning and inspection. All new installations of grease traps required to be installed per paragraph A. shall be inspected and approved by the COUNTY prior to final hookup. If the owner proceeds without this prior inspection and approval, the owner is liable for all costs necessary to achieve approval of the traps, including complete removal of the newly installed trap and installation of a different trap if necessary.
- E. All new and existing standard triple basin grease traps shall be emptied at or before the grease has accumulated to a depth of one-half full in any section within the trap.

- F. Existing facilities may be required to install triple basin grease traps, if in the opinion of the Superintendent; a triple basin grease trap is needed to handle the amounts of grease generated at the facility.
- G. For all new and existing single basin grease traps, grease accumulation within the traps shall be permissible to levels of one-half (1/2) of the design capacity as specified by the COUNTY, as set forth in **FIGURE B, GREASE TRAP BASIN LIMITS**.
- H. If the facility fails to maintain its grease trap as directed and in a timely manner, or fails to install a grease trap as directed and in a timely manner, the COUNTY may take actions to disconnect the facility's water and/or wastewater treatment service, in accordance with procedures outlined herein at **Section 36-506** and assess penalties in accordance with **Section 36-140** of this Ordinance.
- I. For all other types of grease traps the maximum permissible limits of accumulation of grease shall be determined by the Superintendent.
- J. No person shall reintroduce into the COUNTY'S sanitary sewer system materials which have been removed from the sanitary sewer system by catch basins, grease traps, and other pretreatment devices. Physical, chemical, and biological agents shall not be introduced into catch basins, grease traps or other pretreatment devices for the purpose of re-suspending, dissolving, emulsifying or rendering soluble any pollutants or other materials removed from a waste stream by such pretreatment devices and reintroducing these materials into the sanitary sewer system, unless it is demonstrated that these pollutants are converted entirely into materials which are readily degraded at the treatment plant. Where these products are used to chemically or biologically alter the oil and grease, the user may be subject to extra sewer charges as set forth in this ordinance, because of the increased strength of the discharges. Such situations shall be explicitly regulated by the issuance of a Non-Residential Discharge Permit.
- K. No person owning or operating a regulated grease trap facility or business required to install and use a grease trap, or agent or employee thereof shall discharge or cause to be discharged, prohibited substances into sewers connected to the COUNTY'S treatment works, except as regulated above.
- L. No person shall reintroduce or deposit any grease trap sludge into any plumbing system, building drain or building sewer or private sewer which is connected or tributary to the COUNTY'S treatment works, except as regulated above.
- M. No person shall deposit or discharge into a public sewer which is connected or tributary to the COUNTY'S treatment works any grease trap sludge which has been removed from a grease trap or sewer system outside of the COUNTY, except as regulated above.

- N. Each person who owns or operates a regulated grease trap facility and each person who owns or operates a business regulated hereunder, where the plumbing system, building drain or building sewer contains a grease trap required by this Ordinance shall:
1. Engage a licensed grease trap sludge hauler to remove, haul away and dispose of the collected grease trap sludge and to deliver such sludge to a licensed grease trap sludge disposal site;
  2. Provide that each load of grease trap sludge removed from the regulated grease trap facility be accompanied by a shipping manifest.
  3. Retain a copy of the described shipping manifests for a minimum of two (2) years, and produce the documents upon request of the Superintendent, or authorized representative.
  4. After the removal of the grease trap sludge, clean the residue of sludge from the grease trap.
- O. Each person who owns or operates a regulated grease trap facility must make the grease trap available for inspection. If the grease trap is not maintained as per paragraph 36-13.E, a notice of non-compliance will be issued.

Two follow-up inspections shall be done. The cost for these inspections is set forth in **FIGURE D** and the owner of the non-compliant grease trap will be responsible for this cost. If non-compliance is determined on either of the two follow-up inspections, a second notice of non-compliance will be issued.

The owner of the non-compliant discharge will then be required to enter a COUNTY-sponsored pumping program to maintain compliance for a one-year period. The cost for this program is set forth in **FIGURE D**.

After one year, the owner of the non-compliant grease trap can appeal to the COUNTY for removal from the pumping program. If this facility is found to be non-compliant after ending the one-year pumping program, the owner will be required to participate in a three-year pumping program before a second appeal for removal can be made.

#### Grease Interceptor Requirements

- A. Plumbing systems for institutions or commercial establishments in which grease, fats, culinary oils or similar waste products from kitchens or food processing areas are wasted, or in which grease, fats or culinary oils are wasted in connection with utensil, vat, dish or floor cleaning processes shall include grease interceptors. All waste lines and drains carrying grease, fats or culinary oil in these establishments shall be directed to one or more interceptors.

DuPage County Water/Wastewater Use Ordinance

B. Refer to the Technical Guidance Manual for details and specifications.

**Sec. 36-14 through 36-19. RESERVED**

**ARTICLE 3: WASTEWATER/SEWER SERVICE CONNECTION PERMITS AND FEES**

**Sec. 36-20. FALSIFYING INFORMATION**

Any applicant, or anyone acting on behalf of the applicant who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Ordinance, Sewer Service Connection Permit, or Non-Residential Wastewater Discharge Permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Ordinance shall be guilty of a petty offense punishable by a fine not to exceed one thousand dollars (\$1,000.00), or other remedy available at law or in equity (pursuant to authority granted at 55 ILCS 5/5-1113 and 5/5-15001, et seq.).

In case any applicant, or anyone acting on behalf of the applicant, is in violation of this Ordinance, the proper authorities of the COUNTY, may in addition to other remedies, institute any appropriate action or proceedings in equity to prevent or abate such violation and to further prevent any illegal act.

**Sec. 36-21. CONFIDENTIAL INFORMATION**

- A. Information and data (other than effluent data) about a user obtained from reports, questionnaires, inspections, permit applications, permits, and monitoring programs shall be available to the public unless the user specifically requests and is able to demonstrate to the satisfaction of the POTW that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets of the user. Any such request must be asserted at the time of submission of the information or data. When such a confidentiality claim is asserted, the information shall be treated as such until a determination is made by the COUNTY. Effluent data shall be available to the public without restriction.
- B. When the person furnishing a report satisfies the COUNTY that such person has made the demonstration required by **Section 36-21, par. A**, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection except to the IEPA or USEPA for uses related to this Ordinance, the NPDES permit, or the Industrial Monitoring and Pretreatment Program. Confidential portions of a report shall be available for use by the IEPA or USEPA in judicial review or enforcement proceedings involving the person furnishing the report. Effluent data will not be recognized as confidential information.

**Sec. 36-22. REQUIRED PERMITS-UNAUTHORIZED USE**

- A. No unauthorized person shall uncover, make any extensions to, connections with, or opening into, use, alter, or disturb any public sewer or appurtenance thereof, tributary to a

COUNTY owned POTW without first obtaining a written permit from the Superintendent.

- B. Service connection into a COUNTY owned manhole is prohibited unless permitted by the COUNTY. In the event a contractor/owner is permitted a service connection to the COUNTY manhole, the COUNTY, and its officers, agents, employees, and elected officials, shall not be responsible for any loss, damage, demand, liability, cause of action, fine, judgment, or settlement, together with all costs and expenses related thereto, (including attorney fees), that may be incurred as a result of bodily injury, death, property damage, or as a result of any other claim or suit of any nature whatsoever arising from or in any manner connected with the construction or maintenance of interceptor lines or other appurtenances within or around the manhole, as undertaken by the contractor/owner or its agent.

### **Sec. 36-23. PERMITS ISSUANCE**

Permits shall be issued in accordance with requirements set forth in this Ordinance.

### **Sec. 36-24. REMODELING AND RECONSTRUCTION**

No person shall remodel or reconstruct any dwelling unit, commercial or industrial building, or mixed use building which is connected to the DuPage County Wastewater Treatment System without first obtaining a permit or a letter of compliance from the COUNTY. Residential and commercial connections to COUNTY sewer and/or potable water shall require submittal of a site development plan with utilities marked. **Additional fees shall be assessed by the COUNTY for increased sewage flow based upon the estimated sewage flow in gallons per day as set forth herein FIGURE C, SEWAGE FLOW GUIDE.**

### **Sec. 36-25. CONNECTION PERMIT**

A connection permit will only be issued if all downstream sewage facilities, including sewers, pump stations, and wastewater treatment facilities, have sufficient reserve capacity, as such capacity is determined by the IEPA, to adequately handle the additional anticipated wastewater load produced by the proposed connection.

### **Sec. 36-26. SEPARATE SERVICE**

A separate and independent service sewer shall be provided for every connected premise.

### **Sec. 36-27. INSTALLATION COSTS**

All costs and expenses incident to the installation, connection, and maintenance of the service sewer shall be borne by the owners. The owner or applicant shall indemnify and defend the COUNTY from and against any loss for damage to any third party that may directly or indirectly result from the installation of the service sewer. Further, the owner or applicant shall be liable to

the COUNTY for any loss or damage to the wastewater treatment works that may directly or indirectly result from the installation of the service sewer.

#### **Sec. 36-28. OLD SERVICE SEWERS**

- A. New service lines will be required from the dwelling and/or business to the main line sanitary sewer for all new structures, tear downs and for additions 800 square feet or more in size. Old service sewers shall not be used in connection with these activities unless specific prior written approval is obtained from the Superintendent. Such connections must meet all the requirements of this Ordinance. The COUNTY assumes no liability for maintenance of old service sewers, as approval does not warrant serviceability on behalf of the COUNTY.
- B. The size, slope, alignment, materials of a service sewer, and the methods to be used in excavating, placing of the pipe, jointing, connecting, testing, and backfilling the trench, shall conform to the requirements of the current "Standard Specifications for Water and Sewer Main Construction in Illinois". All connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.
- C. To disconnect a service from the Sanitary Sewer Main, the customer must pay an inspection fee as set forth in FIGURE D and call 24 hours in advance to schedule an appointment. The contractor shall excavate the service sewer at the property line. If it is determined that the service line material is at minimum SDR-26 PVC, the service may be capped following Illinois State Construction Standards. If the material is found not to be a minimum of SDR-26 PVC the entire service line must be capped off at the sewer systems main line. The contractor must use a SDR-26 PVC manufactured cap, a mechanical plug or material approved by the department. All completed work must be witnessed by the County inspector before it is backfilled.

#### **Sec. 36-29. MINIMUM REQUIREMENTS FOR SERVICE SEWERS**

Refer to the Technical Guidance Manual for additional details and specifications.

The service sewer shall be a minimum of 6" diameter and shall not be installed at a slope of less than one (1.0) foot per 100 feet, unless prior approval has been obtained by the Superintendent.

All service connections to sanitary sewer mains must have an overhead sewer system within the building, with the only exception being slab on grade construction.

Service line for private connection must be a minimum of 6" in diameter.

- SDR-26 ASTM D3034, push type joints with rubber gasket.
- Ductile Iron Pipe ASA A21.51 Class 52, push on bell-tite joints. No Cast Iron Pipe.



- Clean-outs will be required on all repairs, tear downs/reconnection or any new dwellings within five (5) feet but not more than ten (10) feet of foundation unless approved by the County.
- Clean-outs will be required at an interval of no more than one-hundred (100) foot intervals.
- All clean-outs shall be a minimum of six (6) inches in size.
- No solvent welded pipe is permitted outside building.

Non-shear mission couplings shall be required at connection points of the same as well as dissimilar materials.

### **Sec. 36-30. PROHIBITED CONNECTIONS**

No connection of roof downspouts, foundation sump pumps or drains, areaway drains, or other sources of surface water or groundwater shall be made to a service sewer or building drain which is connected directly or indirectly to a public sanitary sewer. The discharge from downspouts, foundation sump pumps, drains, areaway drains, or other sources of surface water or ground water shall be directed to an area sufficient to filter such discharge, as required in applicable COUNTY ordinances.

### **Sec. 36-31. CONNECTION, DISCONNECTION, RECONNECTION AND REPAIR.**

All services for water lines and sanitary sewers which are to be connected, disconnected, reconnected, or repaired shall be required to have a permit on file and be inspected and approved by a COUNTY inspector. Specifically, disconnections need to be verified prior to obtaining a demolition permit. The applicant for the service sewer and water permit shall notify the COUNTY by telephone, to schedule an inspection, not less than forty-eight (48) hours in advance of when the service sewer is to be connected. Non-metered fees shall be charged as of the date that the COUNTY has approved the connection.

- A. All applications for connection, disconnection, reconnection and repairs shall be submitted with a non-refundable department processing fee as listed in **FIGURE D**.
- B. All applications require a site plan showing proposed service line with approved materials and elevations.
- C. Sanitary sewers disconnect.

If a building is going to be constructed on said property within one year a temporary sewer disconnection may be allowed as follows:

1. The sewer service if PVC(sdr-26 or 2241) may be disconnected at the property line and capped with a push on cap with a gasket or a water tight plug after line had been televised from the property line to the main sewer line and reviewed by the COUNTY. Upon review, the COUNTY shall approve or deny the proposed re-use of said sanitary sewer service line. If sanitary sewer is of any other material besides PVC (sdr-26 or 2241) the service line will need to be replaced or lined (CIPP) to the main line including the tee or wye. If no building is going to be constructed within one year then the service line is required to be disconnected from the main line and tee or wye will be removed from the main unless prior approval is received from the COUNTY.
- D. New sanitary connections where no tap exists.
- E. County inspection of the sanitary service line begins at the cleanout and continues to the sewer main.

Refer to the Technical Guidance Manual for details and specifications.

#### **Sec. 36-32. SEWER LINE MAINTENANCE**

- A. The COUNTY is responsible for maintaining all sanitary sewer mainlines running from the user's property line to the wastewater treatment plant. The COUNTY will be responsible for the structural integrity of the service line from the mainline connection to the user's property line. No private property shall be located in the public right of way, such as but not limited to, sprinklers, dog fences, etc. as it will not be the responsibility of the COUNTY to repair or replace such items. The users shall maintain the sanitary sewer service line from the user's property line into the connected premises.
- B. If a user has a plumbing problem, the user shall call the COUNTY'S **Marionbrook Maintenance Facility at (630) 964-7503** to notify the COUNTY of the problem. If the COUNTY determines that the mainline is open and flowing then the user shall, at the user's expense, hire a plumbing contractor to check the private service line to determine the problem. If the private line is blocked, the user shall be responsible for all costs incurred in locating the problem and clearing the line. If the plumbing contractor determines that the service line has structurally failed between the sanitary sewer mainline and the user's property line, the user must call the COUNTY'S **Marionbrook Maintenance Facility at (630) 964-7503** to notify the COUNTY of the failed line. The COUNTY will assume the responsibility for repairing the line and restoring the area:
1. If the Superintendent determines that the plumbing problem is not located on private property, it will only be the COUNTYS responsibility, to reimburse the user for investigative charges, including the plumber's expense, if reviewed and approved by the Operations Manager and the Financial Services Manager with consent of the Superintendent. Such reimbursement expenses shall not total more

than \$5,000.00 per occurrence; any reimbursement over \$5,000.00 must be approved by the Public Works Committee.

2. The COUNTY will reimburse any costs associated with hiring a private contractor to either televise or clean the COUNTY owned portion of the sewer. This work must be pre-approved to be eligible for re-imbursement.
  3. Private damages caused by COUNTY owned sanitary sewers or water mains are to be denied unless they are due to a negligent act by the COUNTY.
- C. In the event the user's service line has structurally failed between the property line and the connected premises, the user shall be responsible for all costs incurred in locating and repairing the problem. The user's service line shall be repaired according to COUNTY specifications. The user shall have sixty (60) days to make repairs and have the line inspected by a COUNTY inspector before backfilling. If the user does not make the proper repairs within sixty (60) days, the user may file for an extension, in writing, with the COUNTY, subject to approval by the Superintendent. If, after sixty (60) days repairs have not been made, or no request for an extension granted, the COUNTY may terminate the user's sewer service. If the user backfills the service line without first having the line inspected by the COUNTY'S inspector before backfilling, the COUNTY may terminate service. The user shall pay all costs incurred in this process.

#### **Sec. 36-33. EXCAVATION FOR SERVICE SEWERS**

All excavation for service sewer installation shall be adequately guarded with barricades and lights to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the authority exercising jurisdiction over the public right-of-way.

#### **Sec. 36-34. APPLICATION AND FEE**

No permit for connection or sewer extension shall be issued and no plat or document shall be signed or executed until the appropriate application has been filed and the service sewer connection fee has been paid. The **STATEMENT OF RELEASE**, which, upon completion of the construction of the extension, releases property interest in the extension, must be signed by the applicant before a service sewer connection permit is issued. Said Statement of Release is set forth within the **SEWER CONNECTION PERMIT APPLICATION FORM** available from the **Department of Public Works, at 421 North County Farm Road, Wheaton, Illinois 60187, (630) 407-6800**. For further information see **Article 7** of this Ordinance.

#### **Sec. 36-35. APPLICATION FORM**

- A. All applications for permits for connection or sewer extension shall be submitted to the COUNTY along with a site development plan with utilities marked and a department processing fee as listed in **FIGURE D**. Application for a permit shall be made on a

Sewer Connection Permit Application Form furnished by the COUNTY. The permit application shall be supplemented by any plans, specifications, and/or other information considered pertinent in the judgment of the Superintendent. Only the properly executed Sewer Connection Permit Application Form will be accepted for review.

- B. If anything other than domestic waste (as defined herein) will be discharged from this location, then the Non-Residential Wastewater Discharge Permit Application Questionnaire and Baseline Monitoring Report shall be completed. See **Article 4**, Part 2 of this Ordinance for further information.

### **Sec. 36-36. WASTEWATER CONNECTION FEE**

- A. The wastewater connection fee shall be the cost per residential equivalent multiplied by the number of residential equivalents estimated for the proposed connection. The Wastewater Connection Fee is listed on **FIGURE D**, the **DUPAGE COUNTY WATER/WASTEWATER USE CHARGES**.
- B. Non-Residential Wastewater Discharge Permit Application and Baseline Monitoring Report and Application Fees.
  - 1. When an applicant is required to file a Non-Residential Wastewater Discharge Permit Application and Baseline Monitoring Report, the COUNTY shall assess a non-refundable administrative review and processing fee, set forth in **FIGURE D**. This fee shall be paid during such time the Sewer Connection Permit Fee is paid.
  - 2. If it is determined that a Non-Residential Wastewater Discharge Permit will be issued, the Permittee shall pay an additional monitoring and processing fee for issuance of the Non-Residential Wastewater Discharge Permit. This fee shall be paid to the COUNTY at the time the Non-Residential Wastewater Discharge Permit is issued.
  - 3. Current permit holders will be charged the monitoring and processing fee at the time permit renewal is necessary. The fee will be payable with the next applicable sewer bill.
- C. The Superintendent may refund all or part of a wastewater connection fee. All refunds shall be calculated based on the original value of the permit. The user shall be solely responsible to supply all documentation declaring proof of the actual permit and ownership of the property associated with the permit. In the event of a dispute as to a party's eligibility for a refund or the amount thereof, the party may appeal the Superintendent's determination in accord with **Article 18**, herein. If the Public Works Committee of the DuPage County Board, acting pursuant to the provisions of **Article 18**, determines that an applicant is entitled to a refund of a wastewater connection fee, such fee shall be refunded, minus an amount equal to the COUNTY'S Department Processing Fee as listed in **FIGURE D**.

### **Sec. 36-37. SPECIAL CONNECTION FEE**

A special connection fee may be charged by the Department of Public Works if COUNTY funds were utilized to finance the construction of a sanitary sewer or water main extension. The special connection fee shall be subject to annual interest charges until such time as it is paid in full by the property owner. A list of special connection fee areas for the COUNTY are contained within **FIGURE D** of this Ordinance.

The Superintendent may, at their discretion, impose a special connection fee to any proposed sanitary sewer or water main extension that is determined to create additional maintenance, inspection, and or liability costs to the Department that are in excess of standard extensions. The Superintendent is required to provide a detailed accounting of the required special connection fees to the applicant. All special connection fees of this nature must be paid in full prior to the issuance of a permit by the Department of Public Works.

### **Sec. 36-38. COST PER RESIDENTIAL EQUIVALENT**

The cost per residential equivalent shall be the department's sewer connection fee as found in **FIGURE D**. Rates and connection fees will be reviewed annually by the Superintendent of Public Works based upon the input of an outside consultant.

### **Sec. 36-39. METHODS FOR COMPUTING RESIDENTIAL EQUIVALENTS**

- A. The number of residential equivalents per connection is computed by one of the two following methods:
1. The first method consists of dividing the total estimated daily potential flow of the proposed connection, by 350 gallons per day, using information contained in **FIGURE C**, the **SEWAGE FLOW GUIDE**, to determine the total flow applied for in the connection permit application.

#### **[Calculated Potential Flow/350 Gallons Per Day = Residential Equivalents]**

In the event that the **SEWAGE FLOW GUIDE** is not applicable, the estimated daily potential flow for the proposed connection shall be determined by the Superintendent.

2. The second method consists of dividing the total potential daily pounds of BOD discharged into the wastewater treatment system from the connection by 0.64 pounds per day per residential equivalent, or dividing the total potential daily pounds of suspended solids discharged into the wastewater treatment system from the connection by 0.70 pounds per day per residential equivalent, whichever achieves the higher number of residential equivalents.

- B. The method used in the computation of the number of residential equivalents shall be the one which reflects the highest number of residential equivalents. In no case shall the number of residential equivalents be less than one (1).

**Sec. 36-40. PROJECT CONNECTION FEE**

A connection fee will be assessed to all projects which have residential equivalents charged against the COUNTY wastewater treatment system as determined by the IEPA.

**Sec. 36-41. PAYMENT OF CONNECTION FEE**

The total connection fee is due within ninety (90) days of the notification that the application has been approved by DuPage County Department of Public Works. Failure to make payment within ninety (90) days shall void the application. A resubmittal of the application fee, as listed in **FIGURE D**, shall be necessary, in order to keep the project listed for available capacity at the COUNTY'S wastewater treatment facility. This resubmittal fee is non-refundable.

**Sec. 36-42. DISPUTES AND PROTESTS**

Any dispute, protest, and/or refund of connection fees may be made through the procedure set forth in **Article 18** Appeals Procedure. No connection refunds will be allowed if the residential equivalents of the connection are being charged against the wastewater treatment system, as determined by the IEPA.

**Sec. 36-43. REFUNDING CONNECTION FEES**

If the Superintendent of Public Works, acting pursuant to the provisions of **Article 18**, determines that an applicant is entitled to a refund of a connection fee, such fee shall be refunded, minus an amount equal to the Department Processing Fee (see **FIGURE D**).

**Sec. 36-44. COUNTY RIGHT TO INSPECT AND READ METERS**

The County has the authority to inspect and, or, read the water meters of any water service customer tributary to the County's Wastewater Collection Systems and, or, Wastewater Treatment Facilities whenever regular meter readings are used to determine that customer's sanitary sewer usage for billing purposes. In the event the County is denied access to any water meter, or is not timely provided meter reading data by the entity which conducts such meter readings, the County may, at its discretion: (i) disconnect sewer service; or (ii) bill the customer a special usage charge. The special usage charge shall be assessed at one hundred fifteen percent (115%) of the total amount of the then current sewer usage rate times the highest historical recorded water usage volume for that metered property.

**Sec. 36-45 through 36-69. RESERVED**

## **ARTICLE 4: INDUSTRIAL MONITORING AND PRETREATMENT PROGRAM**

### **PART 1. GENERAL INFORMATION FOR INDUSTRIAL DISCHARGES** **(DEFINITIONS)**

Unless the context specifically indicates otherwise, the meaning of specific terms used in this Ordinance shall be as follows and under no circumstances may be interpreted to be less stringent than the definitions as set forth in the Federal or STATE pretreatment regulations.

#### **Sec. 36-70. AUTHORIZED REPRESENTATIVE OF INDUSTRIAL USER**

Authorized representative of an "Industrial User" means:

- A. In the case of a corporation, (public or private) a president, secretary, treasurer, or vice president of the corporation in charge of principal business and/or management functions;
- B. In the case of a partnership or proprietorship, a general partner or proprietor; or
- C. An authorized representative or the individual designated above if: (a) such representative is responsible for the overall operation of the facilities from which the discharge into the POTW originates; (b) the authorization is in writing by the Industrial User; and (c) such written authorization is submitted to the COUNTY at the time of, or prior to, the submittal of forms executed by the authorized representative.

#### **Sec. 36-71. BYPASS**

Bypass means the intentional diversion of wastestreams from any portion of an Industrial User's treatment facility.

#### **Sec. 36-72. INDIRECT DISCHARGE OR DIRECT DISCHARGE**

Indirect Discharge or Direct Discharge means the introduction of pollutants into a POTW from any non-domestic waste source regulated under **Section 307(b)**, (c), or (d) of the Federal Act.

#### **Sec. 36-73. INDUSTRIAL MONITORING AND PRETREATMENT PROGRAM**

Industrial Monitoring and Pretreatment Program means the USEPA, IEPA, and County Board approved program outlining and describing the mechanics and requirements by which the COUNTY manages the non-residential discharges contributing to its publicly owned treatment works (POTW).

#### **Sec. 36-74. INDUSTRIAL USER**

Industrial User means any person, corporation, utility, governmental entity (local, State, and Federal), or service oriented facility (e.g. hospital, dentist or doctor's office) discharging an

effluent from the processing of raw or intermediate material to other intermediate material or end products. This includes all Industrial Users generating non-domestic wastewater in the course of an industrial activity, and persons generating non-domestic wastewater from residential premises.

**Non-domestic wastewater** may include process rinse water and wastewaters, excessive food and beverage wastes, discharges of cooling water which contain chemicals which may be harmful to the treatment plants and/or sewer system, special cleaning solutions which may be corrosive or which may contain toxic organic chemicals, and anything else which is not considered normal domestic sewage.

### **Sec. 36-75. INTERFERENCE**

- A. Interference means the inhibition or disruption of a POTW, its treatment processes or operations, or its sludge processes, use, or disposal, which is a cause of, or significantly contributes to either a violation of any requirement of the COUNTY'S POTW NPDES Permit (including an increase in the magnitude or duration of a violation) or to the prevention of sewage sludge use or disposal by the COUNTY in accordance with the following statutory provisions and regulations or permits issued thereunder, or more stringent local (**FIGURE A**), STATE, or federal regulations as set forth in, i.e.:

**Section 405** of the Clean Water Act;

Solid Waste Disposal Act (SWDA) (including Title II more commonly referred to as the Resource Conservation and Recovery Act (RCRA);

STATE regulations contained in any STATE sludge management plan prepared pursuant to SWDA Subtitle D;

Clean Air Act; and Toxic Control Act.

- B. An Industrial User significantly contributes to such a permit violation or prevention of sludge use or disposal in accordance with above cited authorities whenever such Industrial User:
1. Discharges a daily pollutant loading in excess of that allowed by permit of the POTW or by federal, STATE, or local law; or
  2. Discharges wastewater which substantially changes in nature or constituents from the Industrial User's average discharge, and the Industrial User must demonstrate that the change does not cause a negative impact to the POTW; or
  3. Discharges any substance, alone or in conjunction with discharges from other sources, which results in a POTW permit violation, or prevents sewer sludge use



or disposal in accordance with the above-cited authorities as they apply to the POTW's selected method of sludge management.

#### **Sec. 36-76. LOCAL LIMITS**

Local Limits means the DuPage County Pretreatment Standards which specify quantities or concentrations of pollutants or pollutant properties which may be discharged or introduced into the wastewater treatment system as set forth in **FIGURE A**. **FIGURE A** indicates the concentration limits which must be met for all industrial discharges into the wastewater treatment system. On a case-by-case basis, the COUNTY, at the discretion of the Superintendent, may develop mass limitations as an alternative to concentration limitations. Mass limitations, when implemented shall (1) be specific for an industrial user and (2) take precedence over the concentration limits specified in **FIGURE A**. Mass limits shall be issued in conjunction with a permit which specifies the conditions under which such mass limits are allowed, any pretreatment which would be required and a provision that the mass limits shall be subject to change as the need for less stringent or more stringent regulations arise. All local limits, mass or concentration, take precedence over federal and STATE pretreatment standards if the local limits are more stringent. The local limits shall be reviewed periodically as set forth in 40 CFR Part 403 or any revision thereto. Total industrial allocation shall not exceed the maximum allowable industrial loading for a given pollutant.

#### **Sec. 36-77. NATIONAL PRETREATMENT STANDARD**

- A. National Pretreatment Standard or Standard means any regulation containing pollutant discharge limits promulgated by the U.S. Environmental Protection Agency in accordance with **Section 307(b)** and (c) of the Act (33 U.S.C. 1317), which applies to Industrial Users. This term includes prohibitive discharge limits established pursuant to 40 CFR Part 403.5 or any revision thereto or any revision thereto.
- B. National Categorical Pretreatment Standard or Categorical Standard means any regulation containing pollutant discharge limits promulgated by the U.S. Environmental Protection Agency in accordance with **Sections 307(b)** and (c) of the Act (33 U.S.C. Subsection 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
- C. STATE Pretreatment Standard means the pretreatment regulations promulgated by the Illinois Environmental Protection Agency and as set forth at Title 35: Subtitle C: Chapter I: Subpart B of the Illinois Water Pollution Control Regulations.
- D. Local Pretreatment Standard or DuPage County Pretreatment Standard means the pretreatment standards as set forth herein.

**Sec. 36-78. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT**

National Pollutant Discharge Elimination System Permit (NPDES Permit) means a permit issued under the National Pollutant Discharge Elimination System for discharge of wastewater to the navigable waters of the United States pursuant to the Act.

**Sec. 36-79. NEW SOURCE**

- A. New Source means any building, structure, facility, or installation of which the construction commenced after the publication of proposed Pretreatment Standards under **Section 307(c)** (33 U.S.C. 1317), which will be applicable to such source if such standards are thereafter promulgated in accordance with that section provided that; (i) the construction is a site at which no other source is located, or (ii) the process or production equipment that causes the discharge of pollutants at an existing source is totally replaced, or (iii) the production or wastewater generating processes are substantially independent of an existing source at the same site.
- B. If Pretreatment Standards are not applicable, "New Source" means any building, structure, facility, or installation (if that remodeling could result in the assigning by the COUNTY of a new Standard Industrial Classification Code), the construction of which commences after the effective date of this Ordinance.

**Sec. 36-80. PASS THROUGH**

- A. Pass Through means the discharge of pollutants through the POTW into STATE receiving waters in quantities or concentrations which are a cause of, or significantly contribute to, the violation of any requirement of the POTW's NPDES permit, including an increase in the magnitude or duration of a violation.

An Industrial User contributes to pass through when it:

- 1. Discharges a daily pollutant loading in excess of that allowed by a permit of the COUNTY or by federal, state, or local law; or
  - 2. Discharges wastewater which substantially differs in nature or constituents from the Industrial User's average discharge.
- B. An Industrial User contributes to pass through when its discharge, alone or in conjunction with discharges from other sources, would result in a POTW final effluent permit violation or an increase in magnitude or duration of such permit violation.

**Sec. 36-81. POLLUTANT**

Pollutant means any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock sand, cellar dirt, or industrial, municipal, or agricultural waste discharged into water.

**Sec. 36-82. PRETREATMENT**

Pretreatment means the reduction of the amount of pollutants, the eliminations of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants to the POTW. The reduction or alteration may be obtained by physical, chemical, or biological processes, process changes or by other means, except as prohibited by 40 CFR Part 403.6(d) or any revision thereto. Appropriate pretreatment technology includes surges or slug loadings that might interfere with or otherwise be incompatible with the POTW. However, where wastewater from a regulated process is mixed in an equalization facility with unregulated wastewater or with wastewater from another regulated process, the effluent from the equalization facility must meet an adjusted pretreatment limit calculated in accordance with 40 CFR Part 403.6(e) or any revision thereto.

**Sec. 36-83. PRETREATMENT REQUIREMENTS**

Pretreatment Requirements means any substantive or procedural requirements related to pretreatment, other than a National Pretreatment Standard, imposed on an Industrial User.

**Sec. 36-84. PUBLICLY OWNED TREATMENT WORKS OR POTW**

Publicly Owned Treatment Works, or POTW, means a treatment works as defined in **Section 212** of the Federal Act, which is owned by the STATE or a municipality (as defined in **Section 502(4)** of the Federal Act). This definition includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW. For the purposes of this Ordinance, POTW shall refer to wastewater treatment plants owned and/or operated by DuPage County, Department of Public Works (COUNTY), as well as any part of the sanitary sewer collection system tributary to such treatment plants.

**Sec. 36-85. SIGNIFICANT INDUSTRIAL USER**

A. Significant Industrial User means:

1. Any Industrial User regulated by a National Categorical Pretreatment Standard under 40 CFR Part 403 or any revision thereto.6 and 40 CFR Chapter I, Subchapter N; or

2. Any Industrial User which:
  - a. discharges 25,000 gal. per day or more of process wastewater to the POTW (excluding sanitary, non-contact cooling and boiler blowdown wastewater); or
  - b. contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW operation; or
  - c. has a reasonable potential, in the opinion of the Superintendent, of violation of any Pretreatment Standard requirement (in accordance with 40 CFR Part 403 or any revision thereto 8 (f) (6)).
- B. Upon a finding that an Industrial User, meeting the criteria of **SECTION 36-85, paragraph A.2**, has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or requirement, the COUNTY may at any time, on its own initiative or in response to a petition received from an Industrial User, and in accordance with 40 CFR Part 403 or any revision thereto 8 (f) (6), determine that such Industrial User is not a Significant Industrial User.

**Sec. 36-86. SIGNIFICANT NON-COMPLIANCE (SNC)**

**Significant Non-compliance means:**

- A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six (66%) percent or more of all of the measurements taken during any consecutive six-month period exceed (by any magnitude) the daily maximum or the average limit for the same pollutant parameter. Consecutive "six-month period" shall refer to any consecutive 180 day period of time.
- B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three (33%) percent or more of all of the measurements for each pollutant parameter taken during any consecutive six-month period equal or exceed the product of the daily maximum or the average limit multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH).
- C. Any other violation of a pretreatment effluent limit that the COUNTY determines has caused, alone or in combination with other discharges, interference, or pass through (including endangering the health of COUNTY personnel or the general public).
- D. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or to the environment, or has resulted in the COUNTY'S exercise of its emergency authority under **SECTION 36-138** to halt or prevent such a discharge.

- E. Failure to meet, within ninety (90) days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance.
- F. Failure to provide, within thirty (30) days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules.
- G. Failure to accurately report non-compliance.
- H. Any other violation or group of violations which the COUNTY determines will adversely affect the operation or implementation of the local pretreatment program.

**Sec. 36-87. SLUG LOADING**

SLUG LOADING means the discharge of any pollutant, including any oxygen demanding pollutant (BOD, etc.), which is released in a discharge at a flow rate and/or pollutant concentration which may cause interference with the POTW. See **SECTIONS 36-10, 36-12, 36-75, and 36-82** of this Ordinance.

**Sec. 36-88. STANDARD INDUSTRIAL CLASSIFICATION**

STANDARD INDUSTRIAL CLASSIFICATION (SIC) means a numerical categorization used by the Department of Commerce to denote segments of industry.

**Sec. 36-89 through 36-119. RESERVED**

**ARTICLE 4: INDUSTRIAL MONITORING AND PRETREATMENT PROGRAM**

**PART 2. INDUSTRIAL MONITORING AND PRETREATMENT**

**Sec. 36-120. CONTROL MANHOLE REQUIREMENTS FOR MONITORING PURPOSES.**

- A. Industrial User's shall provide and maintain in safe and proper condition, at the Industrial User's expense, facilities to allow the authorized representatives of the COUNTY, EPA, or the STATE to inspect, sample, or measure flows from wastewater subject to this Ordinance.
- B. All Industrial Users, or the owner of any property occupied by an Industrial User, shall be required to install a control manhole where said property is serviced by a COUNTY POTW.
- C. The COUNTY reserves the right to require installation of a control manhole at existing industries which are not classified as industrial user, or at any site occupied by a Potential Industrial User.
- D. The control manhole shall be constructed in accordance with plans and specifications approved by the Superintendent. The Superintendent reserves the right to require separate control manholes at multi-unit facilities. Each commercial building must have a control manhole on the service line. Plans and specifications shall include the installation of necessary meters and other appurtenances in the service sewer to facilitate observation, sampling, and measurement of the wastes.
- E. The control manhole shall be installed either on the Industrial User's property or in a public right of way by the Industrial User or owner, at the Industrial User or owner's expense, and shall be maintained by the Industrial User or owner as to be safely accessible to the COUNTY'S inspectors at all times. For any construction or maintenance of the control manhole undertaken within the public right of way, the Industrial User shall indemnify the County of DuPage as stated in paragraph J. below. If locating such facilities on an Industrial User's property would be impractical, the Industrial User may apply to the COUNTY for a right of way or for permission to construct on public property.
- F. Any costs associated with the installation, calibration, and maintenance of the metering and/or monitoring equipment and the control manhole are the responsibility of the Industrial User.
- G. Where required by the COUNTY, additional control manholes or sampling chambers shall be provided at the end of each industrial process.

- H. In certain cases where several industrial discharges enter a common control manhole, modifications may be required, as determined by the Superintendent, to provide for accurate sampling.
- I. Service connection into a COUNTY owned manhole is prohibited unless permitted by the COUNTY. In the event an Industrial User is permitted a service connection to the COUNTY manhole, the Industrial User or its contractor shall indemnify the County of DuPage from any responsibility for injury, loss, or damage, both personal and property, in the construction or maintenance of interceptor lines or other appurtenances within or around the manhole as undertaken by the Industrial User or its contractor.
- J. Alternatively, the Industrial User may be required or allowed to provide suitable internal sampling points within the facility where composite and grab samples can be taken from the designated sampling points and the industry purchases, installs, and maintains flow monitoring equipment compatible for use with the COUNTY'S sampling equipment, as determined necessary by the COUNTY for monitoring the process flow(s). At facilities where the flow monitoring equipment is installed, the industry shall also have metering available to determine the total flow from the facility.

There shall be ample room in or near facilities to allow accurate sampling and preparation of samples for analysis.
- K. Samples collected for analysis of oil and grease (FOG), temperature, pH, cyanide and volatile organic chemicals must be obtained using grab sample collection techniques.

#### **Sec. 36-121. INDUSTRIAL MONITORING**

- A. The COUNTY shall conduct measurements, tests, and analyses of the characteristics of waters and wastes in accordance with procedures set forth in USEPA and IEPA Guidelines. A continuous history of the collections and transportation of samples will be maintained by the COUNTY using the COUNTY'S **CHAIN OF CUSTODY REPORT FORM**. Tests of waters and wastes will be made by analysis of suitable samples taken from the control manhole or other approved location. Under certain circumstances, the COUNTY may find it necessary to require the Industrial User to conduct self-monitoring in addition to or in-lieu-of the COUNTY'S monitoring, which self-monitoring information shall be set forth on an **INDUSTRIAL USER'S SEMI-ANNUAL SELF-MONITORING REPORT FORM**.
- B. In the event no control manhole, for monitoring purposes, has been installed on the property prior to the enactment of this Ordinance, the downstream manhole in the public sewer nearest to the point at which the Industrial User's service sewer is connected shall be considered the control manhole if a suitable upstream manhole is available so as to enable the monitoring of the discharge of the Industrial User by difference. If flow metering equipment is deemed necessary for use in the upstream and downstream manholes so that accurate discharge concentrations can be calculated, the Industrial User

shall provide such flow monitoring to the COUNTY'S specifications, or the COUNTY shall purchase the equipment and bill the Industrial User. In certain cases, where several industrial discharges enter a common manhole, where a dedicated control manhole does not exist, the Superintendent may require the installation of a dedicated control manhole(s) or approve alternate internal sampling sites as referenced in **Section 36-120, paragraph J.**

C. Analytical Requirements.

All analyses, including sampling results submitted in support of any application, report, evidence, or as required by any permit or order, shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, or, if 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, in accordance with procedures approved by the EPA.

**Sec. 36-122. PRETREATMENT REQUIREMENTS**

- A. Industrial Users shall provide necessary wastewater treatment as required to comply with the most stringent requirements of this Ordinance, as well as permit conditions, and STATE and Federal Pretreatment Standards. Industrial Users shall achieve compliance with all National Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations, and with any other pretreatment standards by applicable deadlines.
- B. Any facilities required to pretreat wastewater or to provide for flow equalization, shall be provided, operated, and maintained continuously and in satisfactory and effective operation, at the Industrial User's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the COUNTY for review, and shall be approved by the COUNTY before construction of the facility. The review and approval of plans and operating procedures does not relieve the Industrial User from complying with the provisions of this Ordinance and permit conditions. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and approved by the COUNTY prior to the Industrial User's initiation of the changes.

**Sec. 36-123. POLLUTANT REPORTS**

**A. Non-Residential Wastewater Discharge Permit Application / Questionnaire / Baseline Monitoring Report**

- 1. Initial Application or filing.
  - a. If anything other than normal domestic sewage, as defined in **Article 1** of this Ordinance, is to be discharged from the location for which the application is being made, the applicant must fill out the **Non-Residential Wastewater Discharge Permit Application / Questionnaire / Baseline**



**Monitoring Report**, (see **Section 36-124** regarding non-residential wastewater discharge permit content information) for evaluation by the COUNTY as to whether the proposed discharge will be allowed as is, and whether any special monitoring and/or pretreatment will be required.

- i.) Industrial Users subject to National Categorical Pretreatment Standards, as described below, shall submit the Baseline Monitoring Reports to the COUNTY, unless all the information has previously been submitted.
- ii.) If the Report has previously been submitted, any changes or additional information must be submitted according to the regulations applicable to the Categorical User, by using an updated Report Form.
- iii.) Within 180 days after the effective date of a National Categorical Pretreatment Standard, or 180 days after a final administrative decision has been made upon a categorical determination submission in accordance with 40 CFR Part 403.6(a)(4) or any revision thereto, whichever is later, Industrial Users which are Existing Sources subject to such National Categorical Pretreatment Standards and currently discharging to the POTW shall submit a properly completed Baseline Monitoring Report. ("Existing Sources" for the purpose of this Section means any facility discharging a flow to the wastewater treatment system at the time of the effective date of a National Categorical Pretreatment Standard).
- iv.) New Sources and sources that become Industrial Users subsequent to promulgation of National Categorical Pretreatment Standards, shall submit a Baseline Monitoring Report/Permit Application at least ninety (90) days prior to commencement of discharge to the POTW. New Sources shall also be required to include in this Report information on the method of pretreatment the source intends to use to meet applicable pretreatment standards. New Sources shall give estimates of flow measurements and pollutant concentrations.

(For the purpose of this Section, "sources" shall mean any facility connected to the wastewater treatment system, but not discharging a flow which would be subject to the National Categorical Pretreatment Standards at the effective date of the Standards). (See **Section 36-79** of the Ordinance for the definition of "New Source").

New Non-Categorical Industrial Users shall apply at least sixty (60) days prior to connecting to or contributing to the POTW.

- v.) In support of the Baseline Monitoring Report, the Industrial User shall submit information in units and terms specified in the Report Form.
- b. The information supplied in Non-Residential Discharge Permit Application Form, shall be based upon data obtained through appropriate sampling and analysis performed during the period covered by the report, which data is representative of conditions occurring during the reporting period. The COUNTY shall require that frequency of monitoring necessary to assess and assure compliance by Industrial Users with applicable pretreatment standards and requirements.
- c. Current Industrial Users who are required to file an application, as directed above shall submit the completed application within sixty (60) days after receipt from the COUNTY unless otherwise regulated under Sec. 36-123.A.1.a.4.), along with any additional information the COUNTY may require. Proposed new Industrial Users shall apply at least sixty (60) days prior to connecting to or contributing to the POTW.
  - i.) For new Industrial Users, the permit must be obtained by the User prior to connection or discharge.
  - ii.) The COUNTY reserves the right to require additional information prior to the issuance of such a permit.
- d. Based upon the information supplied in the permit application/questionnaire and other information, such as sampling data on site inspection, Federal Pretreatment Regulations, or Federal Categorical Pretreatment Regulations, if the COUNTY determines that an Industrial User has a discharge which needs any monitoring or regulation, the Industrial User will be classified as:
  - i.) Categorical and Significant and needing a permit; or
  - ii.) Non-Categorical and Significant and needing a permit; or
  - iii.) Non-Significant and needing a permit; or
  - iv.) Non-Significant and not needing a permit.

Any permits issued to an Industrial User will contain all of the items listed in **Section 36-124** as appropriate for the Industrial User.

**B. COMPLIANCE MONITORING REPORT:** This report shall be sent to the COUNTY no later than fourteen (14) days following each date in the compliance schedule and the final date for compliance stating:

1. The date event was completed;
2. If any delay in completion, the reason for such delay;
3. The expected date of completion if the event has not yet been completed; and
4. The steps which will be taken to return to the provisions of the "Compliance Schedule", if deviation from such schedule has occurred.
5. In no event shall more than 9 months elapse between such progress reports to the COUNTY.

If the event was not completed according to schedule, then the Compliance Monitoring Report shall be resubmitted for that event within fourteen (14) calendar days of the actual completion of the event.

**C. CHANGE OF DISCHARGE REPORT:**

1. This report shall be sent within 14 days from the date upon which an Industrial User identifies or causes changes in wastewater processes, the volumes or characteristics of discharges as a result of process changes or lab analyses of discharges.
2. An Industrial User shall also file this Report within 14 days with the COUNTY upon becoming aware of changes to any process that will affect its discharge wastewater volume or characteristics. The Report shall also be filed by the Industrial User with the COUNTY 30 days prior to introduction of new pollutants into the POTW from a source, which would be a New Source (as defined in **Section 305 of the Federal Water Pollution Control Act (FWPCA)**) or a Point Source (as defined in Section 301 of the FWPCA), if it is discharging such pollutants directly to STATE waters.
3. The COUNTY shall have the authority to deny or condition new or increased contributions of pollutants, or changes in the nature of pollutants, to the POTW by Industrial Users, where such contributions do not meet applicable Pretreatment Standards and Requirements, or where such contributions would cause a COUNTY POTW to violate its NPDES permit.

**D. NON-COMPLIANCE REPORT:**

1. An Industrial User shall file a Non-compliance Report with the COUNTY within fourteen (14) calendar days of a discharge of effluent of unacceptable quality or quantity to the COUNTY POTW. Such an incident may involve accidental spills or discharges which violate applicable pretreatment standards.
2. The **NON-COMPLIANCE REPORT** shall state which applicable pretreatment standards are being met on a consistent basis. If such standards are not being met, the Industrial User shall specify the additional operation and maintenance or pretreatment techniques or installations needed to bring the Industrial User into compliance with the applicable pretreatment standards and requirements.
3. The Non-compliance Report shall be signed by an authorized representative of the Industrial User and certified by a qualified professional. The Non-compliance Report shall specify:
  - a. The dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the Industrial User to meet the applicable Federal, STATE, or County Categorical Pretreatment Standards (i.e. hiring an engineer, completing preliminary plans, completing final plans, executing contracts for major components, commencing construction, completing construction, etc), **COMPLIANCE SCHEDULE REPORT**;
  - b. No date referred to in paragraph 3.a of this section shall exceed nine (9) months.

**E. FINAL STATUS REPORT FORM**

1. Within ninety (90) days following the date for final compliance with applicable Pretreatment Standards, or, in the case of a New Source, following commencement of the introduction of wastewater into the POTW, any Industrial User, subject to Pretreatment Standards and Requirements, shall submit to the COUNTY a **FINAL STATUS REPORT FORM**, indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Pretreatment Standards and Requirements, and the average and maximum daily flow for these process units in the Industrial User facility which are limited by such Pretreatment Standards or Requirements. Where equivalent mass or concentration limits are established by the COUNTY for an Industrial User, the Final Status Report shall contain a reasonable measure of the Industrial User's long-term production rate.
2. Where an Industrial User is subject to Categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production, the

Final Status Report shall include the Industrial User's actual production during the appropriate sampling period. The Final Status Report shall state whether the applicable Pretreatment Standards or Requirements are being met on a consistent basis and, if not, what additional operation and maintenance and/or pretreatment is necessary to bring the Industrial User into compliance with the applicable Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative of the Industrial User, and certified to by a qualified professional.

**F. SEMI-ANNUAL COMPLIANCE REPORTS.**

1. Contents and Submittal

- a. Any Industrial User subject to a Categorical Pretreatment Standard, after the compliance date of such Pretreatment Standard, or, in the case of a New Source, after commencement of the discharge into the POTW, shall submit to the COUNTY during the months of June and December the **SEMI-ANNUAL SELF MONITORING REPORT** unless required more frequently in the Pretreatment Standard or by the Superintendent, indicating the nature and concentration of pollutants in the effluent, which are limited by such Pretreatment Standards. (Significant and Categorical Industrial Users shall perform all local limits testing twice per year and shall submit all such test results to the COUNTY POTW) At the discretion of the Superintendent and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the Superintendent may agree to alter the months during which the above reports are to be submitted.
- b. The COUNTY may impose mass limitations on Industrial Users which are using dilution to meet applicable pretreatment standards or requirements, or in other cases where the imposition of mass limitations are appropriate. In such cases, the information required in **SEMI-ANNUAL SELF MONITORING REPORT** shall indicate the mass of pollutants regulated by pretreatment standards in the effluent of the Industrial User. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the Superintendent, of pollutants contained therein, which are limited by the applicable pretreatment standards.
- c. For Industrial Users subject to equivalent mass or concentration limits established by the COUNTY in accordance with the procedures in 40 CFR Part 403.6(c) or any revision thereto, the information required in the Non-Residential Wastewater Discharge Permit Application and Baseline Monitoring Report shall contain a reasonable measure of the Industrial User's long-term production rate. For all other standards expressed only in terms of allowable pollutant discharge per unit of production (or other

measure of operation), the Report shall include the Industrial User's actual average production rate for the reporting period.

- d. Significant Noncategorical Industrial Users shall submit to the COUNTY, at least once every six (6) months (on dates specified by the COUNTY), a description of the nature, concentration, and flow of the pollutants required to be reported by the COUNTY, using the Form specified as the SEMIANNUAL SELF MONITORING REPORT except as indicated otherwise.

2. Monitoring and Analysis in Support of Self Monitoring Requirements.

- a. The reports required by **Section 36-123** shall be based on sampling and analysis performed in the period covered by the report, and performed in accordance with the techniques described in 40 CFR Part 136 and amendments thereto.
  - i.) Where 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the Administrator determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the COUNTY or other persons, and approved by the Administrator.
  - ii.) This sampling and analysis may be performed by the COUNTY for the Industrial User if the Industrial User so wishes.
  - iii.) Where the COUNTY itself collects all the information required for the report, the Significant Industrial User will not be required to submit the report.
- b. If an Industrial User, subject to the reporting requirement herein, monitors any pollutant more frequently than required by the COUNTY, using the procedures prescribed in this SECTION, the results of this monitoring shall be included in the report.
- c. The determination of compliance with Local Limits shall be based upon twenty four (24) hour composite samples, or grab samples in the event composite sampling is not feasible. If the Industrial User objects to local limit testing being performed on a grab sample basis, the Industrial User shall be responsible for providing at the facility a means by which composite sampling may be performed which is satisfactory to the COUNTY.

- d. Significant and Categorical Industrial Users shall perform all local limits testing twice per year and shall submit all such test results to the COUNTY POTW. In addition, the COUNTY must perform all local limit tests once per year on the same Significant and Categorical Industrial Users.
- e. **Signatory requirements for Industrial User reports.** The reports required by this section shall include the certification statement as set forth in Non-Residential Discharge Permit Application Form and shall be signed by an authorized representative.

**G. NOTIFICATION OF DISCHARGE VIOLATIONS, HARMFUL DISCHARGES, AND SLUG LOADINGS**

- 1. Discharge Violations.
  - a. If sampling performed by an Industrial User indicates a violation, the Industrial User shall notify the COUNTY within 24 hours of becoming aware of the violation. The Industrial User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the COUNTY within 30 days after becoming aware of the violation, except the Industrial User may not be required to resample if:
    - i.) The COUNTY performs sampling at the Industrial User at a frequency of at least once per month, or
    - ii.) The COUNTY performs sampling at the User between the time when the User performs its initial sampling and the time when the Industrial User receives the results of this sampling.
- 2. Harmful Violations Caused by Industrial Users

In the event of harmful violations caused by spills, accidental or otherwise, that constitute an unusual flow volume or discharge characteristics violating **Article 2, Section 36-10**, and/or which would cause problems for the POTW, Industrial Users shall immediately (within a 24 hour period) by telephone inform the COUNTY.

- 3. The notification shall include:
  - a. the date, time, location, and duration of the discharge;
  - b. the type of waste including concentration and volume; and
  - c. any corrective actions taken by the user.

4. Within fourteen (14) calendar days following such a discharge, the Industrial User shall submit a Non-compliance Report describing the cause of the discharge and the measures that will be taken by the Industrial User to prevent similar future discharges.
5. Such notification shall not relieve the Industrial User of any expense, loss, damage, or other liability resulting from the discharge, nor shall such notification relieve the Industrial User of any fines, civil penalties, or other liability which may be imposed under this Ordinance or other applicable STATE or federal law.

**H. SPILL CONTROL PLANS**, which are required from a new Industrial User applying for a permit, shall be submitted prior to discharge and prior to permit issuance. An existing Industrial User shall submit the plan within fourteen (14) calendar days after the COUNTY requests such a plan, unless other arrangements are approved by the COUNTY.

**I. TOTAL TOXIC ORGANICS MANAGEMENT PLAN**

If the COUNTY requires an Industrial User to submit a Total Toxic Organics Management Plan, the Plan shall be submitted according to the time frame required by the COUNTY. The Plan shall contain the following information:

1. A statement certifying that there is no discharge of total toxic organics.
2. The identification of any total toxic organics regulated by the Federal or COUNTY Pretreatment regulations.
3. The identification of the method of disposal such as incineration, contract hauling, or reclamation.
4. The identification of the procedures to be followed for assuring that toxic organics do not routinely spill or leak into the waste stream.

**J. MERCURY MANAGEMENT PLAN**

Any Industrial User exceeding the local limit of 0.0005 mg/l for mercury in **FIGURE A** is in violation of this Ordinance, unless the Industrial User meets the exceptions set forth in Title 35, Subtitle C, Chapter I, Subpart B, Section 307.1102 of the Illinois Regulations and submits the Mercury Management Plan which sets forth how the Industrial User complies with the conditions set forth in the above referenced section, in order to qualify for permission to have a higher level of mercury discharge. If a mercury management plan is submitted and approved, the enforceable local limit for the Industrial User would be 0.003. mg/l.



**Sec. 36-124. NON-RESIDENTIAL WASTEWATER DISCHARGE PERMIT CONTENTS**

A. Permits shall contain, as appropriate, the following:

1. Statement of duration (not greater than 5 years) including issuance and expiration dates;
2. Effluent limitations based on the more stringent of categorical pretreatment standards, Local Limits as established by this Ordinance, and STATE and local law;
3. General and specific discharge prohibitions as established by **Section 36-10** of this Ordinance;
4. Requirements to pay fees for the wastewater to be discharged to the POTW;
5. Any limitations on the average, maximum rate, or time of discharge, or requirements for flow regulation and equalization;
6. Requirements for installation and maintenance of inspection and sampling facilities;
7. Requirements and specifications for monitoring programs including sampling locations, frequency of sampling and analysis for all regulated parameters, and any applicable reporting schedule;
8. Compliance schedules;
9. Requirements for submission of:
  - a. **Self-Monitoring Reports** at the frequency specified in the permit and which contain all required analyses specified in the permit.
  - b. **Periodic Compliance Reports** by the due dates specified in the permits and which contain all analyses on local limit parameters and other regulated parameters not listed in the local limits but which are regulated in the permit. This report shall also contain a certification statement whereby the Industrial User attests to the fact that all the permit required procedures for analysis, sampling, and chain of custody are followed; See **Section 36-123 (F)** for details on the content and applicability of this report.
  - c. **Analytical and Chain of Custody Reports** associated with any required self-monitoring.

- d. **Compliance Schedule Status Reports:** for use when compliance schedules have been incorporated into permits. This report is to be filed for each increment of progress in the schedule, including the final completion of the project.
  - e. **Non-Compliance Report:** for use when the Industrial User violates any permit or ordinance condition. See **Section 36-126 D.** for the information to be included in these reports and sections for the applicability of this report.
  - f. **Final Status Report:** for reporting final compliance with categorical pretreatment standards for new and existing sources. See **Section 36-123 E** for the details on the content and use of this report; and
  - g. **Change of Discharge Notice:** for use by the Industrial User to file notice with the COUNTY of the Industrial User's intention to change the nature of its discharge by the introduction of any new chemicals or substantial changes in flow.
- 10. Requirements for collecting, retaining, and providing access to plant records relating to the Industrial User's discharge, the removal of hazardous wastes, and for providing entry for sampling and inspection.
  - 11. Requirements for notification of any introduction of new wastewater constituents or any substantial change in the volume or character of any wastewater pretreatment system.
  - 12. Requirements for notification of spills or other problems which may have an adverse impact on the POTW, including slug loadings, upsets, or violations.
  - 13. Requirements for installation, operation, and maintenance of pollution control equipment.
  - 14. Requirements to develop and implement spill and slug control plans.
  - 15. Other conditions, as deemed appropriate by the COUNTY, to ensure compliance with this Ordinance, STATE and federal pretreatment standards and requirements.
  - 16. Statement by reference to main Ordinance in permit of applicable civil and criminal penalties for violation of pretreatment standards and requirements.
  - 17. Statement of non-transferability; and
  - 18. Conditions for modification or revocation of permit.

- B. Non-Residential Wastewater Discharge Permit Duration Permits shall be issued for a specified time period, not to exceed five years. The Industrial User shall apply for permit re-issuance at least thirty (30) days prior to the expiration of the Industrial User's existing permit.
- C. Non-Residential Wastewater Discharge Permit Modifications Due to Amendments to the Federal, STATE or Local Regulations.

Subsequent to any amendments to the applicable Federal Standards, the **Non-Residential Wastewater Discharge Permit (NWDP)** of Industrial Users shall be modified as soon as practical thereafter, however, no later than ninety (90) days from the date the Standards were amended. Such permit modifications shall be made to require compliance with said Standards within the time frame prescribed.

- D. Non-Residential Wastewater Discharge Permit Transfer NWDPs are issued to a specific process or operation to a specific owner/operator at a specific location. NWDP shall not be reassigned or transferred or sold.
- E. Requirements for regulation of Total Toxic Organics (TTO's)

- 1. Requirements for a Total Toxic Organics Management Plan:

The COUNTY may require an Industrial User to submit a Total Toxic Organics Management Plan and/or certification statement that no TTO's are used or discharged (see Section 36-123.i).

- 2. Regulation of Toxic Organic Substances:

- a. Categorical Industrial Users shall be regulated for Total Toxic Organics as they are defined within the applicable Federal Categorical Regulation (see **Section 36-77**) unless the COUNTY chooses to regulate TTO's more stringently.
- b. Non-categorical Industrial Users will be regulated for Toxic Organic Substances on an as needed basis. Any discharge of toxic organic substances is prohibited unless the Industrial User submits a Total Toxic Organics Management Plan and the COUNTY issues a permit with specific substances listed or referenced in the permit and specific concentrations which cannot be exceeded.

## **Sec. 36-125. INDUSTRIAL INSPECTIONS**

The COUNTY shall conduct, at least once per year, complete inspections of facilities of Categorical and Significant Industrial Users pursuant to 40 CFR Part 403 or any revision thereto. The COUNTY reserves the right to perform at least annual inspections of other industrial

facilities not so classified. The COUNTY may use an **INDUSTRIAL USER'S INSPECTION CHECKLIST FORM**. It shall be the responsibility of the COUNTY to arrange for the inspection of the facility, to obtain information on the process(es) conducted on the premises, the handling and storage of any hazardous chemicals, and the flow diagrams of all process flows, to assure that the records of the COUNTY are up to date and accurate. The COUNTY reserves the right to take photographs at said facilities as part of the inspection process. Photographs shall remain confidential upon request of the User.

#### **Sec. 36-126. EMERGENCY NOTIFICATION PROCEDURE**

The Industrial User shall permanently post a notice in a prominent place advising all employees to call **(630) 985-7400, (or other number designated in the Non-Residential Wastewater Discharge Permit held by the Industrial User)**, in the event of a dangerous discharge for which notification is required. Employers shall advise all employees of the emergency notification procedure.

#### **Sec. 36-127. IDENTIFICATION OF DISCHARGE**

In accordance with **Article 17, The Powers and Authority of Inspectors**, the Industrial User shall assist the COUNTY in its efforts to locate and identify all discharges into the wastewater treatment system, which are in violation of this Ordinance.

The COUNTY reserves the right to take photographs at the Industrial User's facility as part of the COUNTY'S inspection process to document non-compliance. All such photographs shall remain confidential upon request of the User.

#### **Sec. 36-128. RECORD KEEPING PROCEDURES**

The COUNTY and all Industrial Users shall maintain records of all information resulting from any monitoring activities required by 40 CFR Part 403.12 or any revision thereto. Record keeping requirements shall include:

- A. Records for all samples including:
  - 1. Date, time, place, and method of sampling;
  - 2. Names of person(s) taking samples;
  - 3. Dates analyses were performed;
  - 4. Names of person(s) performing the analyses;
  - 5. The analytical methods used; and
  - 6. The results of such analyses.

- B. The COUNTY and Industrial User shall keep records for a minimum of three (3) years.
- C. All records shall be made available for inspection and copying by the Superintendent, the IEPA, or the Regional Administrator. The period during which records must be retained shall be extended during the course of any unresolved litigation regarding the Industrial User or COUNTY or when requested by the Superintendent, the IEPA, or the Regional Administrator.

#### **Sec. 36-129. FALSIFYING INFORMATION**

Any Industrial User, who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Ordinance or any permits issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Ordinance, shall be guilty of a petty offense punishable by a fine not to exceed one thousand dollars (\$1,000.00) or other remedy available at law or in equity (pursuant to authority granted at 55 ILCS 5/5-1113 and 5/5-15001, et seq.).

In case any Industrial User, or anyone acting on behalf of the Industrial User, is in violation of this Ordinance, the proper authorities of the COUNTY, may in addition to other remedies, institute any appropriate action or proceedings in equity to prevent or abate such violation and to further prevent any illegal act.

#### **Sec. 36-130. PROHIBITION OF DILUTION**

Dilution may not be used as a partial or complete substitute for adequate pretreatment in order to achieve compliance. Industries using or attempting to use dilution to achieve discharge limits may be put on mass-based discharge limits instead of concentration limits.

#### **Sec. 36-131. VIOLATION OF PRETREATMENT STANDARDS**

- A. Violations of any Pretreatment Standards or the requirements and provisions of the DuPage County Water/Wastewater Use Ordinance are expressly prohibited. Any such violations shall be subject to enforcement actions, fines, and penalties as specified in **Part 3 of this Article**.
- B. The National Categorical Pretreatment Standards found in 40 CFR Chapter I, Subchapter N, parts 405-471, are hereby incorporated into this Ordinance by reference, and all Industrial Users as defined herein, shall be subject to said Standards. See **Section 36-124 (C)** for permit modification.
- C. The COUNTY shall notify all known affected Industrial Users of the applicable reporting requirements under 40 CFR Part 403.12 or any revision thereto.

- D. An Industrial User found to be in significant non-compliance or non-compliance shall be deemed "in compliance" subsequent to the determination of non-compliance, when three (3) or more samples taken over a ninety (90) day period (or as otherwise determined by the COUNTY) demonstrate that the Industrial User is in compliance with the applicable Federal, STATE and local pretreatment standards.
- E. Bypass.
1. Bypass not violating applicable pretreatment standards or requirements. An Industrial User may allow any bypass to occur which does not violate Pretreatment Standards or requirements, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to paragraphs 2 and 3 below.
  2. Notice.
    - a. If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the COUNTY, if possible, at least seven (7) working days before the date of the bypass.
    - b. An Industrial User shall verbally notify the COUNTY of an unanticipated bypass that exceeds applicable Pretreatment Standards or requirements, within 24 hours of becoming aware of the bypass. A written submission shall also be provided within five (5) working days of becoming aware of the bypass. The written submission shall contain a description of:
      - i.) the bypass and its cause;
      - ii.) the duration of the bypass;
      - iii.) exact times and dates of bypass;
      - iv.) if the bypass has not been corrected, the anticipated time it is expected to continue and
      - v.) steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.
  3. Prohibition of bypass.
    - a. Bypass is prohibited and the COUNTY may take enforcement action against an Industrial User for a bypass, unless:
      - i.) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage.

ii.) There are no feasible alternatives to bypass, such as use of auxiliary treatment facilities, retention of wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed to prevent bypass which occurred during normal periods of equipment downtime or preventive maintenance and

iii.) The Industrial User submitted notices as required by paragraph E.2 of this section.

b. The COUNTY may approve an anticipated bypass, after considering its adverse effects, if the COUNTY determines that it will meet the three conditions listed in paragraph 3.a of this section.

F. Upset Provisions.

1. Definition. For the purposes of this section, "Upset" means an exceptional incident in which there is unintentional and temporary non-compliance with Categorical Pretreatment Standards because of factors beyond the reasonable control of the Industrial User. An Upset does not include non-compliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

2. Effect of an Upset. An Upset shall constitute an affirmative defense to an action brought for non-compliance with Categorical Pretreatment Standards if the requirements of paragraph 3 are met.

3. Conditions necessary for demonstrating an affirmative defense of an Upset. An Industrial User who wishes to establish the affirmative defense of Upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

a. An Upset occurred and the Industrial User can identify the cause(s) of the Upset;

b. The facility was at the time being operated in a prudent and workman-like manner, and in compliance with applicable operation and maintenance procedures;

c. The Industrial User has submitted the following information to the COUNTY within 24 hours of becoming aware of the Upset (if this information is provided verbally, a written submission must be provided within five (5) working days)

- i.) A description of the Discharge and cause of non-compliance;
  - ii.) The period of non-compliance, including exact dates and times or, if not corrected, the anticipated time the non-compliance is expected to continue; and
  - iii.) Steps being taken and/or planned to reduce eliminate, and prevent recurrence of the non-compliance.
- 4. Burden of proof. In any enforcement proceeding, the Industrial User seeking to establish the occurrence of an Upset shall have the burden of proof.
- 5. Reviewability of Agency consideration of claims of Upset. In the usual exercise of prosecutorial discretion, Agency enforcement personnel should review any claims that non-compliance was caused by an Upset. No determination made in the course of the review constitutes final Agency action subject to judicial review. Industrial Users will have the opportunity for a judicial determination on any claim of Upset only in an enforcement action brought for non-compliance with Categorical Pretreatment Standards.
- 6. Industrial User responsibility in case of Upset. The Industrial User shall control production or all discharges to the extent necessary to maintain compliance with Categorical Pretreatment Standards upon reduction, loss, or failure of its treatment facility, until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

**Sec. 36-132. ANNUAL PUBLICATION OF INDUSTRIAL USERS WHO HAVE BEEN IN OR WHO ARE IN SIGNIFICANT NON-COMPLIANCE**

The Superintendent shall publish, at least annually, in the largest daily newspaper circulated in the service area, a description of those Industrial Users which have been or are found to be in **SIGNIFICANT NON-COMPLIANCE** as defined in **Section 36-86** of this Ordinance, with any provision of this Ordinance, Sewer Service Connection Permit, or Non-Residential Wastewater Discharge Permit during the previous twelve (12) months.

**Sec. 36-133. NO DISCHARGE IN EXCESS OF LOCAL LIMITS**

- A. No person shall discharge to the sewer system substances in excess of Local Limits, with the exception of discharges of mercury which have been specifically approved within a Mercury Management Plan submitted to the COUNTY by an Industrial User, as provided for in **Section 36-123 J** of this Ordinance.



- B. The Local Limits are defined in **Section 36-76** and are set forth in the attached **FIGURE A**. Pretreatment shall be required for discharges which, without provision of pretreatment, would exceed Local Limits.
- C. The determination of compliance with Local Limits shall be based upon twenty four (24) hour composite samples, or grab samples in the event that composite sampling is not feasible. If the Industrial User objects to local limit testing being performed on a grab sample basis, the Industrial User shall be responsible for providing at the facility a means by which composite sampling may be performed.
- D. Significant and Categorical Industrial Users shall perform all local limits testing twice per year and shall submit all such test results to the COUNTY POTW. In addition, the COUNTY must perform all local limit tests once per year on the same Significant and Categorical Industrial Users.

**Sec. 36-134. ADDITIONAL CHARGES AND FEES**

- A. To enforce the terms of **this Ordinance**, the COUNTY may impose additional charges and fees upon the Industrial User, which may include:
  - 1. Fees for reimbursement of costs of setting up and operating the COUNTY Industrial Monitoring and Pretreatment Program.
  - 2. Fees for monitoring, inspection, and surveillance procedures, including the cost of reviewing monitoring reports submitted by the I.U.
  - 3. Fees for reviewing accidental discharge procedures and construction.
  - 4. Fees for permit applications, including the cost of processing such applications.
  - 5. Fees for filing appeals and/or
  - 6. Other fees as the COUNTY may deem necessary to carry out the requirements contained herein.
- B. These fees relate solely to the matters covered by this Ordinance and are separate from all other fees chargeable by the COUNTY.

## **ARTICLE 4: INDUSTRIAL MONITORING AND PRETREATMENT PROGRAM**

### **PART 3. ENFORCEMENT**

Specific enforcement response actions are outlined in the DuPage County Enforcement Response Plan (Guidance Document) available from the DuPage County **Department of Public Works, 7900 South Route 53, Woodridge, Illinois 60517, phone (630) 985-7400.**

#### **Sec. 36-135. ADMINISTRATIVE ENFORCEMENT REMEDIES**

##### **A. Notification of Violation**

When the Superintendent finds that an Industrial User has violated, or continues to violate any provision of this Ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Superintendent may serve upon that Industrial User a written Notice of Violation. Within fourteen (14) days of the receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the Industrial User to the Superintendent. Submission of this Plan in no way relieves the Industrial User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this Section shall limit the authority of the Superintendent to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

##### **B. Formal Orders Available to the COUNTY for Enforcement Purposes.**

###### **1. Consent Orders.**

- a. The Superintendent is hereby empowered to enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the Industrial User responsible for the non-compliance.
- b. An agreement between the COUNTY and the Industrial User. A completed agreement must be signed by an authorized representative of the Industrial User and the COUNTY. Such orders shall include compliance schedules or remedial actions, and signatures of the Superintendent and Industrial User Representatives. Consent Orders shall have the same force and effect as compliance orders issued pursuant to paragraph 3 below.

###### **2. Option to Show Cause**

An Industrial User may be allowed to show cause as to why a particular enforcement action should not be taken against the User.

3. Compliance Directive.

- a. The COUNTY (or the Superintendent) during a compliance meeting with the Industrial User may issue a Compliance Directive directing and requiring the Industrial User to take such actions, including pretreatment, without further investigation or study.
- b. Failure to comply with the Compliance Directive of the COUNTY or "Superintendent" shall be deemed a violation of this Ordinance and may be grounds for revocation of the Industrial User's Non-Residential Wastewater Discharge Permit, termination of sewer service, and/or such other actions as may be authorized for violation of this Ordinance.

4. Cease and Desist Directive.

- a. When the Superintendent finds that an Industrial User has violated or continues to violate this Ordinance or any permit or order issued hereunder, the Superintendent may issue a Directive to cease and desist all illegal or unauthorized discharges immediately.

**Sec. 36-136. REVOCATION OR SUSPENSION OF PERMIT**

A. Conditions for Revocation or Suspension.

Any Industrial User who violates this Ordinance, or any Order issued pursuant to this Ordinance, the Illinois Environmental Protection Act, the Federal Act, or regulations promulgated under either act, or does any of the following, is subject to having its Non-Residential Wastewater Discharge Permit and/or Sewer Service Connection Permit revoked or suspended, in accordance with the procedures set forth herein.

1. Fails to fully and accurately report the wastewater constituents and characteristics of its wastewater discharge as determined by the Industrial User's or COUNTY'S analysis.
2. Fails to fully and accurately report significant changes in process activity which could affect its wastewater discharge or wastewater constituents and characteristics.
3. Refuses reasonable access to the Industrial User's premises by COUNTY representatives for the purpose of inspection or monitoring.
4. Tamper with, disrupts, or destroys COUNTY equipment.
5. Fails to report an accidental discharge of a pollutant.
6. Fails to report an Upset of the Industrial User's treatment facilities or

7. Violates any condition of the Non-Residential Wastewater Discharge Permit.
- B. Following a revocation or suspension of its Non-Residential Wastewater Discharge Permit, the Industrial User shall cease discharging to the COUNTY POTW in accordance with the stated terms. Failure to do so shall result in the COUNTY POTW seeking injunctive relief or other court orders in accordance with **Article 16** of this Ordinance.

**Sec. 36-137. SHOW CAUSE HEARING BEFORE THE PUBLIC WORKS COMMITTEE**

- A. The COUNTY, upon discovering an ongoing or potential discharge to a COUNTY POTW which presents or may present a danger to the environment or which threatens to interfere with the operation of the POTW, may immediately issue a notice to the responsible Industrial User so as to provide an opportunity for the Industrial User to present information to the Public Works Committee as to why the Committee should not disconnect service, revoke, or suspend the Industrial User's Non-Residential Wastewater Discharge Permit and/or Sewer Service Connection Permit, or seek injunctive relief to prohibit the Industrial User from making the discharge to the POTW.
- B. Subsequent to a hearing before the Public Works Committee, the COUNTY may disconnect service, revoke or suspend the Non-Residential Wastewater Discharge Permit and/or Sewer Service Connection Permit, or seek injunctive relief to prohibit the Industrial User from making the discharge to the POTW.

**Sec. 36-138. IMMEDIATE DISCONNECTION OF SERVICE**

- A. Conditions for Immediate Disconnection of Service
  1. **Any Industrial User is subject to immediate disconnection of service under either of the following conditions:**
    - a. Whenever immediate disconnection is required to halt or prevent any discharge of pollutants to a COUNTY POTW which reasonably appears to the Superintendent to present an imminent danger to the health or welfare of persons or
    - b. Whenever the Industrial User's Non-Residential Wastewater Discharge Permit and/or Sewer Service Connection Permit is revoked.

**Sec. 36-139. ELIMINATION OF DISCHARGE/REINSTATEMENT**

- A. Any Industrial User holding a Non-Residential wastewater Discharge Permit and/or a Sewer Service Connection Permit issued by the COUNTY, is subject to permit termination for violation of judicial orders, any applicable STATE and Federal law, or any of the following:

## DuPage County Water/Wastewater Use Ordinance

1. Violation of permit conditions.
  2. Failure to accurately report the wastewater constituents and characteristics of its discharge.
  3. Failure to report significant changes in operations or wastewater constituents and characteristics and/or
  4. Refusal of reasonable access to the Industrial User's premises for the purpose of inspection, monitoring, or sampling.
- B. Any Industrial User notified of a disconnection of wastewater treatment service and/or revocation or suspension of its Non-Residential Wastewater Discharge Permit and/or Sewer Service Connection Permit shall immediately stop or eliminate the discharge.
- C. In the event of a failure of the Industrial User to comply voluntarily with the disconnection, revocation, suspension directive, or cost of damages to the COUNTY POTW, the COUNTY may take such legal steps as deemed necessary, in addition to immediate blockage or severance of the sewer connection, to prevent or minimize damage to the COUNTY POTW or danger to any person.
- D. If the Superintendent exercises authority under this Ordinance, the Superintendent may reinstate the wastewater treatment service upon proof of the elimination of the non-complying discharge. Any permits re-issued may be subject to modification as determined by the Superintendent.

### **Sec. 36-140. REMEDIES.**

#### A. Judicial Remedies.

If any person discharges sewage, industrial wastes, or other wastes into the wastewater disposal system, contrary to the provisions of this Ordinance or any Directive or permit issued hereunder, the COUNTY, through the State's Attorney, may commence an action for appropriate legal and/or equitable relief in the Circuit Court of the County of DuPage.

#### 1. Injunctive Relief.

Whenever an Industrial User has violated or continues to violate the provisions of this Ordinance, or the pretreatment standards or requirements, or its permit(s), or order(s) issued hereunder, the Superintendent through counsel, may petition the Court for the issuance of a preliminary or permanent injunction or both (as may be appropriate), that restrains or compels the activities on the part of the Industrial User.

2. Civil Penalties.

Any Industrial User, who has violated or continues to violate this Ordinance or any Directive or permit issued hereunder, shall be subject to a civil penalty (as authorized at 40 CFR 403.8 (f) (1) (vi) (A)), of not more than the maximum allowable under STATE law, plus actual damages incurred by the COUNTY per violation per day for as long as the violation continues.

Any person violating **Section 36-13** of this Ordinance shall be subject to civil penalties specified in subsection (a) of **Section 42** of the Illinois Environmental Protection Act (415 ILCS 5/42), as now enacted or hereafter amended. If an action to enforce **Section 36-13** of this Ordinance is brought by or on behalf of the COUNTY, the COUNTY shall be entitled to recover seventy five percent (75%) of any penalty assessed.

3. Fines.

Any user which connects to a COUNTY POTW without first obtaining a Sewer Service Connection Permit from the COUNTY, shall be in violation of this Ordinance and shall be guilty of a petty offense punishable by a fine not to exceed one thousand dollars (\$1,000.00) with each day the violation persists constituting a separate offense, or other remedy available at law or in equity (pursuant to authority granted at 55 ILCS 5/5-1113 and 5/5-15001, et seq.).

Any user violating a Directive of the COUNTY or failing to comply with any provision of this Ordinance and the Directives, rules, and regulations and permits issued hereunder, shall be guilty of a petty offense punishable by a fine not to exceed one thousand dollars (\$1,000.00) with each day the violation persists constituting a separate offense, or other remedy available at law or in equity.

In case any user, or anyone acting on behalf of the user, is in violation of this Ordinance, the proper authorities of the COUNTY, may, in addition to other remedies, institute any appropriate action or proceedings in equity to prevent or abate such violation. Should any section, clause, or provision of this Ordinance be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

For the purpose of this Ordinance, each day, in which any such violation shall occur, may be deemed a separate violation, and a separate violation may be deemed to have occurred for each constituent, which has limitations listed in **(FIGURE A)** of this Ordinance, found to exceed the Limits established in this Ordinance or which is specifically limited in the Non-Residential Wastewater Discharge Permit issued to the Industrial User during any such day.

4. Damages.

- a. If the COUNTY is fined by the STATE or USEPA for violation of a COUNTY POTW NPDES permit, or violation of water quality standards as the result of discharge of pollutants, then the COUNTY may seek, to the fullest extent allowable by law, to charge the Industrial User the above penalties plus all the COUNTY'S legal fees, sampling and analytical testing costs, and any other related costs shall be charged to the responsible Industrial User. Such charge shall be in addition to, and not in lieu of, any remedies the COUNTY may have under this Ordinance, statutes, regulations, at law, or in equity.
- b. The Superintendent may petition the Court to impose, assess, and recover damages to the COUNTY'S POTW that are caused by harmful discharges from the Industrial User. In determining an amount of liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the Industrial User's violation, corrective actions by the Industrial User, the compliance history of the Industrial User, and any other factor as justice requires.

5. In addition to the penalties provided herein, the COUNTY may seek, to the fullest extent allowable by law, to recover reasonable attorney's fees, court costs, court reporter fees, and other expenses of litigation by appropriate suit at law against the person found to have violated this Ordinance or the orders, rules, regulations, and permits issued hereunder.

B. Supplemental Enforcement Remedies.

1. Performance Bonds

The Superintendent may decline to re-issue a permit to any Industrial User, which has failed to comply with the provisions of this Ordinance or any order or previous permit issued hereunder, unless such Industrial User first files with the COUNTY a satisfactory bond, payable to the COUNTY, in a sum not to exceed a value determined by the Superintendent.

2. Liability Insurance

The Superintendent may decline to re-issue a permit to any Industrial User which has failed to comply with the provisions of this Ordinance or any Directive or previous permit issued hereunder, unless the Industrial User first submits proof that it has obtained liability insurance sufficient to restore or repair POTW damage caused by its discharge.

3. Water Supply Severance

Whenever an Industrial User has violated or continues to violate the provisions of this Ordinance or a Directive or permit issued hereunder, water service to the Industrial User may be severed, and service will only recommence, at the Industrial User's expense, after it has satisfactorily complied with any directive or permit requirement.

4. Public Nuisances

Any violation of the discharge prohibitions of this Ordinance or permit or Directive issued according to **Section 36-135**, may be declared a public nuisance and shall be corrected or abated as directed by the Superintendent. Any person(s) creating a public nuisance shall be subject to the provisions of the County Code (Illinois Compiled Statutes, Chapter 55, paragraph 5/5-1003, et seq.) governing such nuisance, including the reimbursement to the COUNTY of any costs incurred in removing, abating, or remedying said nuisance.

- C. If the discharge from any person or Industrial User causes a deposit, obstruction, or damage to any COUNTY POTW, the COUNTY may cause the deposit or obstruction to be promptly removed or cause the damage to be promptly repaired. The cost for such work, including materials, labor, and supervision, shall be borne by the person or Industrial User causing such deposit, obstruction, or damage.
- D. The Superintendent may seek, to the fullest extent allowable by law, to recover from the Industrial User costs of damages to the COUNTY POTW which are caused by discharges from the Industrial User.
- E. The COUNTY may, where the circumstances of the particular case so dictate, seek injunctive relief to prohibit the Industrial User from discharging into the sanitary sewer system, or to provide such other affirmative relief as may be appropriate.
- F. The Superintendent shall have such other collection remedies as are authorized under this Ordinance to collect other service charges. Unpaid charges, fines, and penalties shall constitute a lien against the user's property.

**Sec. 36-141. REMEDIES NON-EXCLUSIVE**

The remedies provided for in this Ordinance are not exclusive. The Superintendent may take any, all, or any combination of these actions against a noncompliant Industrial User or user, to the fullest extent allowable by law.

**Sec. 36-142 through 36-169 RESERVED**



**ARTICLE 5: PERMIT PROCESS TREATMENT AND DISPOSAL OF HAULED OR TRUCKED SEPTIC WASTE AND LANDFILL LEACHATE**

**Sec. 36-170. POTW RECEIPT OF HAULED OR TRUCKED WASTES**

The COUNTY may receive trucked or hauled septic waste and landfill leachate at the COUNTY POTW. The COUNTY will not accept any other types of wastes which are trucked or hauled to the POTW.

**Sec. 36-171. WASTE TREATMENT AND DISPOSAL**

No person shall transport septic waste or landfill leachate to the COUNTY POTW without first obtaining a permit from the COUNTY.

**Sec. 36-172. WAIVERS**

No permit for disposal of the wastes shall be issued until the appropriate waiver forms have been completed and submitted to the COUNTY POTW, and any applicable fees have been paid.

**Sec. 36-173. FORMS**

**A. SEPTIC WASTE.**

A **STATEMENT OF ACKNOWLEDGEMENT** must be completed and signed by any Septic Waste Hauler transporting septic waste to the COUNTY POTW. The original Statement of Acknowledgement shall be kept on file with the COUNTY POTW. The septic waste hauler must complete a **SEPTIC WASTE HAULING FORM** for each load of septic waste. A **SEPTIC MANIFEST FORM** must also accompany each load. All forms are available from the DuPage County Department of Public Works and are kept on file at the COUNTY POTW.

**B. LANDFILL LEACHATE**

A **SPECIAL WASTE (LANDFILL LEACHATE) CHARACTERISTIC PROFILE** and **SPECIAL WASTE WAIVER** must be completed by the landfill leachate hauler or generator transporting special waste to the COUNTY POTW. All such forms are kept on file at the COUNTY POTW.

**Sec. 36-174. SAMPLING HAULED WASTES**

- A.** A composite spot check shall be done by the COUNTY of trucked or hauled septic waste loads received at the POTW.
- B.** All loads of landfill leachate shall be sampled and tested by the COUNTY to determine the constituent properties of each load, as appropriate for each sample.

**Sec. 36-175. RIGHT TO REFUSE SEPTIC, LEACHATE, OR VACTOR WASTE**

The COUNTY reserves the right to refuse to accept any load of septic waste or landfill leachate or vactor waste for treatment which, in the Superintendent's opinion, may cause an upset at the POTW.

**Sec. 36-176. WASTESTREAM ORIGINATION APPROVAL**

The COUNTY reserves the right to approve the waste stream and the sites from which the waste stream is originated. Disposal at the COUNTY POTW of septic wastes, which are not household generated wastes, requires prior approval.

**Sec. 36-177. LIST OF APPROVED SITES FROM WHICH WASTES MAY BE HAULED OR TRUCKED TO THE POTW**

The COUNTY shall maintain a list of sites from which landfill leachate or septic waste (which is not household generated) can be collected and disposed of at the COUNTY POTW.

**Sec. 36-178. CAR WASH MUD AND GREASE TRAP CLEANINGS**

Under no circumstances shall car wash mud or grease trap cleanings be accepted for disposal at the POTW as either a full or partial load.

**Sec. 36-179. WASTE DISPOSAL PRIVILEGES REVOKED**

Any hauler attempting to discharge any material other than household domestic septic, septic waste, landfill leachate, or other preapproved waste which originates from COUNTY approved sites, shall be subject to revocation of its disposal privileges at the COUNTY POTW.

**Sec. 36-180. WASTE TREATMENT AND DISPOSAL FEES**

The fees for treatment and disposal of septic wastes and landfill leachate are specified on **FIGURE D**. In addition, any costs incurred for commercial analysis of samples for compliance monitoring purposes shall be charged to the permittee.

**Sec. 36-181 through Sec. 36-199. RESERVED**

## **ARTICLE 6: SERVICE CHARGES FOR WASTEWATER TREATMENT**

### **Sec. 36-200. WASTEWATER SERVICE CHARGES**

Wastewater Service Charges means an amount billed to each user of a COUNTY POTW or sanitary sewer system for the use of its equipment and for services that may be or are being supplied. Such charges include User Charges, Other Contractual Surcharges, Debt Services Charges, Sewer Maintenance Charges, which shall be determined according to the provisions of this Article.

### **Sec. 36-201. WASTEWATER USER CHARGE**

A. Wastewater User Charge means an amount billed to each user of a COUNTY POTW and sanitary sewer system for services provided. Each user shall pay a proportionate share of the operation, maintenance, and replacement (O.M. & R.) and debt service costs of the COUNTY POTW or other system to which the user is tributary. The User Charge shall be based on the water consumption (flow) and wastewater strength characteristics. The User Charge shall consist of a flow charge and any applicable BOD and SS surcharges as defined below and listed in Figure D:

1. **User Charge:** Means an amount billed by the COUNTY to all users of a COUNTY POTW and/or sanitary sewer system. The COUNTY determines its unit flow charge by dividing the O.M. & R. costs not recovered by BOD and SS Surcharges by the total annual billable flow. The unit flow charge multiplied by the User's volume of flow shall constitute the user's total flow charge. For users on the sanitary sewer system not tributary to a COUNTY POTW, the charge will be calculated by the applicable rate structure for that system.
2. **Debt Service Charge:** Debt Service Charge means an amount billed to all users of a COUNTY POTW. The unit charge shall be determined by dividing the annual debt service cost by the total annual billable flow. The unit debt service charge multiplied by the user's volume of flow, shall constitute the user's Total Debt Service Charge. This debt service charge is combined with overall operation expenses to determine the rates.
3. **BOD and SS Surcharges for Users Connected to a COUNTY POTW:** Means the amount billed to those users known to discharge wastewaters having a strength greater than normal domestic sewage. The unit surcharge shall be calculated by dividing the total O.M. & R. costs allocated to BOD and SS by the estimated pounds of BOD and SS treated by the COUNTY POTWS. The pounds of BOD and SS discharged in excess of the pounds of BOD and/or SS estimated by the normal domestic sewage concentration multiplied by the BOD and/or SS unit surcharge shall be the user's total BOD and/or SS surcharge.

BOD and SS surcharges are listed on **FIGURE D**.

**Sec. 36-202. OTHER CONTRACTUAL SURCHARGES**

Other Contractual Surcharges means an amount determined by a contract between DuPage County and a second party or the user. This surcharge will be in addition to the User Charge.

**Sec. 36-203. SEWER MAINTENANCE CHARGE**

Sewer Maintenance Charge means an amount billed to users of the COUNTY owned collector sewers. The Sewer Maintenance Charge is determined by dividing the sewer maintenance costs of the collection system by the specific user's total annual billable flow or by existing agreement. The unit sewer maintenance charge multiplied by the user's volume of flow shall constitute the user's total Sewer Maintenance Charge.

**Sec. 36-204. BASE CHARGE**

The Base Charge is an amount billed to each user that receives a sanitary and/or water bill. The base charge is designed to cover the costs of producing, mailing and collecting the utility bills and the costs incurred by the meter reading department to read the customer meters. This fee shall be adjusted from time to time as listed in FIGURE D.

**Sec. 36-205. WATER COMMISSION BUY IN FEE**

The Water Commission Buy In Fee is designed to cover the costs of the outstanding obligation to the DuPage Water Commission for the buy in fee which is a membership requirement of the commission. This fee shall be adjusted from time to time as listed in FIGURE D.

**Sec. 36-206. MEASUREMENT OF VOLUME-METER REQUIREMENTS**

For billing purposes, flow will be determined by one of the following three methods:

- A. By means of a special wastewater measuring device installed in a sewer or other conduit carrying the wastewater flow; or
- B. By means of the amount of water used, as determined from a water meter in the user's public or private supply system. Where such a meter is installed:
  - 1. Upon receipt of reasonable notice, all private water users on the COUNTY'S water supply system shall provide for and permit access to the water meter by a representative of the COUNTY. The user shall be responsible for maintaining the installation and meter in operating order at the user's expense. The user's failure to maintain the meter after notice by the COUNTY shall result in the user being billed at the higher of either the historical usage or by estimating the consumption as specified in paragraph C of this section.

2. All users of other public water utilities shall be billed on the basis of water use data provided by the utility. If the public utility fails to provide the COUNTY with water use data prior to the completion of the COUNTY'S billing period, the user shall be billed at a flat assessment of 8,000 gallons per Residential Equivalent for that billing period and shall be billed the remaining Wastewater Service Charges in the following billing period when the water use data is received.
  3. The charge for all unmetered users shall be obtained by multiplying the user's number of Residential Equivalents by 8,000 gallons per month until an approved meter is installed.
- C. By estimating the amount of water being discharged to a COUNTY POTW by users served by private wells.

Any charge shall be based on the following:

1. All unmetered residential private well sources shall be charged at 8,000 gallons per month unless an approved meter is installed.
2. The charge for all unmetered non-residential well sources shall be obtained by multiplying the user's number of Residential Equivalents by 8,000 gallons per month until an approved meter is installed.

#### **Sec. 36-207. NON-SEWER WATER EXEMPTION**

The volume of water used by any user of a COUNTY POTW, which does not enter the sanitary system, may be subtracted from the volume of water consumption used in calculating the User's Flow Charge. Measurement of the volume of water not entering the wastewater treatment system must be made by the purchase and installation of a water meter with radio transceiver to be maintained by the property owner, or by other methods which have the Superintendent's prior approval. The meter and radio transceiver are the property of the user. Repair or replacement of these devices is the responsibility of the user. The credit for non-sewer water usage shall be determined annually in July, and shall be reflected in the following billing period. The County shall give a credit for non-sewer water usage one time per calendar year to qualifying customers (also "credit program participant"). In cases where a remote register or radio transceiver are not connected to the meter, the customer seeking an annual non-sewer water usage credit shall report their non-sewer water meter's reading to DuPage Public Works between June 15th and July 15th of each calendar year. The credit amount shall be calculated using the current rate in the system. The credit amount shall be the volume of non-sewer water consumed since the last annual meter reading times the applicable user service rate. The credit shall be given in the next billing cycle following the customer's reading report date. Whenever the credit due exceeds the amount charged the Superintendent may give the credit in two or more successive billing cycles. Under no circumstance shall a customer receive a credit for water

consumption for any reporting period greater than thirteen (13) months.

In the event a customer fails to timely report their meter's annual reading, that customer will be denied a credit for that annual reporting period. If a customer desires a credit for any subsequent reporting periods, that customer must first obtain a new meter reading by DuPage Public Works staff ("re-establishment reading"). A customer is not entitled to a credit for any water consumption between their last timely customer-reported reading and any DuPage Public Works conducted re-establishment reading. The County may charge a re-establishment reading fee of twenty-five dollars (\$25.00). The Superintendent may remove or deny a customer's participation in the program whenever: (i) any water meter on the customer's property has been tampered, altered, modified or intentionally damaged; (ii) the customer has failed to make a timely annual report more than once or otherwise has any history of account delinquency; (iii) the customer provides false data or information to DuPage Public Works; or (iv) DuPage Public Works cannot safely access, inspect or read the customer's meter(s) after reasonable effort or has been refused access thereto.

**Sec. 36-208 through 36-249. RESERVED**

**ARTICLE 7. EXTENSION OF COUNTY WATER DISTRIBUTION OR  
WASTEWATER COLLECTION SYSTEMS**

**Sec. 36-250. PERMITS REQUIRED FOR CONNECTION**

Prior to connecting any building or premises to a County Water Distribution, POTW, or Sanitary Sewer System, or turning on the Water Supply to any such building, any owner, occupant, or user of any such COUNTY System shall apply to the COUNTY for a Sewer Connection Permit. For the purposes of this Article, such person shall be designated as the "applicant."

**Sec. 36-251. APPLICATIONS, PERMITS, AND EASEMENTS FOR WATER  
DISTRIBUTION AND WASTEWATER SYSTEM EXTENSIONS**

- A. Application for any extension of a COUNTY Water Distribution or Sanitary Sewer System shall be accompanied by:
  - 1. Plats, showing all necessary easements, dedicated for public utility purposes.
  - 2. Any legal instruments necessary to transfer property rights to such easements and/or
  - 3. Detailed plans, profile drawings, and specifications for all proposed work.
- B. All applications and proposed plans must be approved by the Superintendent before any construction work begins.
- C. Applications shall include all properly executed forms necessary to obtain any required Illinois Environmental Protection Agency Permits.
- D. All plans, profiles, applications, permits, and legal documents shall be approved by the Superintendent before any construction work begins.

**Sec. 36-252. CONSTRUCTION OF WASTEWATER SEWER OR WATER MAIN  
EXTENSIONS**

- A. All extensions to a Water Distribution or Sanitary Sewer System shall be designed and installed in accordance with the "Standard Specifications for Water and Sewer Main Construction in Illinois," latest edition. Refer to the Technical Guidance Manual for details and specifications.
- B. Sewer shall be:
  - 1. Constructed of a material, approved by the Superintendent, having a minimum internal diameter of not less than eight (8) inches and

2. Shall be installed with not less than four (4) feet of cover over the top of the pipe.

C. Prohibition of Lift Stations:

No extension to the Sanitary Sewer System shall incorporate a lift station, unless the Superintendent determines it is impractical to construct a gravity system.

D. Water Mains shall be:

1. Cement mortar lined, ductile iron pipe having a minimum internal diameter of not less than six (6) inches and
2. Alternative size and materials may be utilized in certain circumstances at the COUNTY'S sole discretion and
3. Installed with not less than five (5) feet of cover over the top of the pipe.

E. Fire Hydrants:

1. All fire hydrants shall be of six (6) inch dry barrel traffic type with a bury depth of not less than five (5) feet.
2. A gate valve and valve box shall be installed immediately in front of each hydrant.
3. Hydrants shall be set so that the center line of the nozzle is not less than eighteen (18) inches or more than twenty-four (24) inches above finished grade.
4. The COUNTY shall specify the type of hydrant to be installed in order to have consistency across each particular water system.

**Sec. 36-253. GOVERNMENT REGULATIONS**

Any applicant shall, at the applicant's sole cost and expense, comply with all of the requirements of all COUNTY, municipal, STATE, federal, and other applicable governmental authorities, now in force, or which may hereafter be in force.

**Sec. 36-254. COUNTY INSPECTION**

- A. The Applicant must allow the COUNTY to inspect the construction and installation of all sewers or water mains for a proposed extension to a Water Distribution or Sanitary Sewer System. The applicant must not backfill any trenches until the construction and installation have been inspected and approved by the COUNTY.



- B. At least forty-eight (48) hours prior to a required inspection, the applicant shall contact the COUNTY to arrange for the inspection.
- C. Any applicant or applicant's contractor shall expose all pipes, manholes, valves, etc., at the applicant's own expense, if the extension to a System is covered before the installation is properly inspected.
- D. No connection to a System shall be approved without the required inspection.

#### **Sec. 36-255. RECORD DRAWINGS**

The applicant shall provide the COUNTY with a **complete** set of reproducible mylar record drawings, along with the associated digital files in a format approved by the Superintendent, for the extension to a Water Distribution or Sanitary Sewer System within twenty (20) days after the extension is inspected and construction work is complete. No testing will be allowed until the record drawings have been approved by the County. All b-boxes and sanitary sewer stubs must be installed as part of the project. All locations must be shown on the plans, with the exact measurements verified by the design engineer. If the applicant does not have the means to generate the record drawings, the mylar, or the digital files, the applicant may pay the COUNTY for such services at a price to be determined by the Superintendent.

#### **Sec. 36-256. DEDICATION OF AN EXTENSION TO THE WATER DISTRIBUTION OR SANITARY SEWER SYSTEM**

- A. All extensions to a COUNTY Water Distribution or Sanitary Sewer System, or any new connections to said System, shall be constructed in a public right-of-way or dedicated public utility easement, which is at least twenty (20) feet wide.
- B. Copies of recorded plats of easements must be submitted to the COUNTY within thirty (30) days after construction is complete.
- C. All record drawings, recorded plats of easements, and other requested drawings shall be submitted to the COUNTY prior to connection of any services. This shall also apply to service provided to models.
- D. STATEMENT OF RELEASE
  - 1. A Statement of Release must be signed by the Owner/Developer constructing said extension, which releases interest of all property rights to the extension (connection) of a Water Distribution or Sanitary Sewer System, upon completion, final inspection, and approval of the extension (connection).
  - 2. The Statement of Release is set forth in the COUNTY'S Sewer Connection Permit Application Form.

3. The Statement of Release shall be signed, notarized, and submitted to the COUNTY, upon application for a Sewer Service Connection Permit.
  4. Said Release shall become effective upon the COUNTY'S approval of acceptance by final inspection.
- E. Upon inspection, if the COUNTY determines the extension to a Water Distribution or Wastewater Collection System has been constructed according to the standards specified in **Section 36-252**, the COUNTY shall deliver its letter of acceptance of the extension to the Owner/Developer after the COUNTY has received copies of record drawings, copies of recorded plats of easements and the signed Statement of Release.
- The Owner/Developer who conveyed the system to the COUNTY shall be responsible for the costs of necessary maintenance and repair to the extension (connection) for a period of one year from the date of completion and acceptance by the COUNTY. The COUNTY shall be responsible for the maintenance and repair to said extension thereafter. **The date of final acceptance shall be determined by the date of the COUNTY'S letter of acceptance to the Owner/Developer.**
- F. Dedications to the COUNTY of any new or existing extension (connection) to a COUNTY Water Distribution or Sanitary Sewer System shall be complete subsequent to the COUNTY'S receipt of recorded plats of easements and record drawings, and upon a final inspection and approval for acceptance of the connections by the COUNTY. All records, including the Statement of Release and Letter of Acceptance, shall be placed in the COUNTY'S file as a permanent record.

**Sec. 36-257. FINANCING WATER DISTRIBUTION OR SANITARY SEWER EXTENSIONS**

Financing the cost of installing Water Distribution or Sanitary Sewer extensions, replacements, or improvements shall be by one of the following methods:

- A. For all new subdivisions, or parts thereof, not presently connected to a COUNTY Water Distribution or Sanitary Sewer System, the subdivider shall finance the cost of installing such sewer by one or more of the following methods:
1. The subdivider shall, at his own expense, provide a complete Water Distribution or Sanitary Sewer System, including any water mains or sewer connecting the extension to a COUNTY Water Distribution or Sanitary Sewer System. Upon acceptance by the COUNTY, the subdivider shall transfer the ownership of such an extension to the COUNTY, yet shall remain responsible for all necessary maintenance and repair to such extension for a period of one (1) year from the date of acceptance by the COUNTY.

2. The COUNTY may accept advance cash contributions for the full estimated amount of the cost of the proposed extension from the subdivider. The COUNTY shall accept bids to contract for the work with the understanding that any excess of funds advanced over final costs shall be refunded to the contributors.
- B. For extensions of any water supply or wastewater mains in streets or alleys, which are platted, but which are not a part of a new subdivision, where such water or sewer are intended solely to provide water or sewer service to one or more abutting property owners, the financing of the cost of installing such sewers shall be provided by one or more of the following methods:
1. The COUNTY may follow the regular special assessment or special service area procedures as established by the Illinois General Assembly and as set forth in the Illinois Compiled Statutes.
  2. The COUNTY may accept advance cash contributions for the full estimated amount of the cost of the work from the persons to be benefited. The COUNTY shall accept bids to contract for the work with the understanding that any excess of funds advanced over final costs shall be refunded to the contributors excluding special service areas.
  3. The property owners or proposed customer(s) may enter into a private contract with a private construction contractor. The COUNTY shall have no interest in the contract other than general supervision to see that the proposed extension complies with COUNTY specifications.
  4. The COUNTY may elect to pay all costs associated with the extension of any water supply or wastewater main and recover said costs from the benefited property owners. The Superintendent shall set the conditions of repayment with the consent of the Public Works Committee.
- C. **The COUNTY does not participate in any private recapture agreements to finance the extension of a COUNTY Water Distribution or Sanitary Sewer System. The COUNTY shall not be liable or responsible for any conditions, provisions, fees, or other terms and requirements set forth in any private agreement between a developer and any third party connecting to a COUNTY Sanitary Sewer System.**
- D. Any or all of the above methods shall first be approved by the Superintendent before permits are issued or construction begins. Plans for any extension must be approved in accordance with this Article.

**Sec. 36-258 through 36-299. RESERVED**

**ARTICLE 8: NEW COUNTY WELLS, TREATMENT SYSTEMS, AND STORAGE FACILITIES**

**Sec. 36-300. NEW CONSTRUCTION**

The construction of COUNTY wells, treatment systems, and storage facilities proposed to serve new subdivisions not currently connected to a COUNTY Water Distribution System, and not adjacent to either an existing municipal boundary or to an existing municipally-owned water system of a municipality located primarily and principally within DuPage County, shall be by one of the following methods:

1. The COUNTY may construct and/or finance such facilities pursuant to any of the methods authorized within the Illinois Revised Statutes;
2. The titleholder of the land may, at his expense, design and construct such facilities to supply water to a proposed subdivision, subject to the requirements of **Article 7** of this Ordinance.

**Sec. 36-301. APPLICATIONS AND REQUIRED DOCUMENTS**

- A. If new water wells, treatment systems, and storage facilities are proposed to be constructed by either method listed in **Section 36-300** of this Ordinance, the landowner and developer must submit a Public Works Sewer Permit Application to the Superintendent together with:
  1. Plans for the proposed subdivision, including plats showing all necessary easements dedicated for public utility purposes and required land allocations; and
  2. Proof that the applicant has complied with the requirements of the applicable Zoning Ordinance and has obtained zoning approval for the proposed subdivisions.
- B. Where the landowner or developer proposes to build new water wells, treatment systems, and storage facilities, the landowner or developer shall also submit:
  1. Designs, plans, and specifications for the proposed project which meet all Federal, STATE, and COUNTY requirements; and
  2. All applications necessary to obtain any required Illinois Environmental Protection Agency permits. Such applications must be properly executed.

**Sec. 36-302. REQUIRED LAND ALLOCATIONS**

Whenever it is proposed that COUNTY water wells, treatment systems, and storage facilities shall be constructed to provide water service for a new subdivision by either of the methods specified in **Section 36-300** of this Ordinance, the landowner shall:

1. Allocate a parcel of land, not to exceed 2 acres in size, suitable for the construction of a well, treatment facilities, and a water tower. Such parcel shall be adjacent to an existing or proposed public roadway and subject to the Superintendent's approval and acceptance;
2. Transfer ownership of such allocated parcel to the County of DuPage by means of a Warranty Deed; and
3. Secure a title insurance policy covering said parcel for the benefit of the COUNTY.

**Sec. 36-303. OWNERSHIP OF WELLS, TREATMENT SYSTEM AND STORAGE FACILITIES**

- A. The COUNTY shall own all new wells, treatment systems, and storage facilities constructed to serve a new subdivision. Prior to the COUNTY'S accepting ownership of any wells, treatment systems, or storage facilities, the Superintendent shall inspect and approve the installation of all facilities.
- B. The COUNTY, as owner, reserves the right to inspect any and all water main construction projects and to witness any and all tests performed to assure compliance with construction standards.
- C. Ownership of such improvements, if constructed by the landowner, shall be transferred to the COUNTY, together with the land upon which they are situated, by means of a deed.

**Sec. 36-304. CONNECTION FEES**

- A. Where the COUNTY constructs new wells, treatment systems, and storage facilities to provide a water distribution system for a new subdivision, the landowner or developer shall pay the COUNTY a Connection Fee, as determined by **Section 36-402** of this Ordinance, for each unit connected to the system.
- B. **This Connection Fee must be paid before any premises are connected to the COUNTY Water System.**

**Sec. 36-305. NON-METERED USAGE**

- A. Where the COUNTY constructs new wells, treatment systems, and storage systems to provide a water distribution system for a new subdivision, the landowner or developer shall pay the COUNTY a monthly charge of 8,000 gallons per Residential Equivalent proposed for connection within the Subdivision, as determined by this Ordinance as listed in **FIGURE D**.
- B. Such Non-Metered Usage Charge shall be payable to the COUNTY beginning on the date on which the COUNTY awards any contracts for the construction of new wells, treatment systems, or storage systems for the new subdivision.
- C. Such Non-Metered Usage Charge shall be paid by the landowner or developer until such time as any building or premise is sold or leased to a residential or commercial user, who becomes a customer of a COUNTY Water Distribution System.
- D. If the landowner or developer constructs the wells, treatment system, and storage facilities, no Non-Metered Usage Charge shall be due to the COUNTY.

**Sec. 36-306. PAYMENTS SUBJECT TO THE PROVISION OF THIS ORDINANCE  
CONCERNING BILLING AND COLLECTION OF  
WATER/WASTEWATER FEES**

The payment of all Connection Fees, Service Charges, and Non-Metered usage Charges due to the COUNTY under the provisions of this Article shall be subject to the conditions and penalties specified by **Article 14** of this Ordinance concerning Billing and Collection of Water/Wastewater Fees.

**Sec. 36-307 through 36-339. RESERVED**

## **ARTICLE 9: WATER SERVICE LINES**

### **Sec. 36-340. SEPARATE SERVICES**

A separate and complete service line shall be installed for each distinct property and premises. In no event shall a single service line be allowed to service two properties under separate ownership. Accessory buildings on a single property may be served from the service line to the main building. Separate meters for accessory buildings may be installed either at the request of the person receiving water service or on order of the Superintendent. All such meters shall be installed at the sole expense of the property owner. All water service must be connected directly to a COUNTY water main.

No connection of a domestic water service line will be allowed to a fire protection supply service line. If an existing connection to a fire protection supply service line is determined, the owner shall be required to modify this connection to meet the requirements of this Ordinance. Failure to comply with this requirement shall result in a fine of no more than one thousand dollars (\$1,000.00) per day of non-compliance.

### **Sec. 36-341. WATER SERVICE MATERIALS AND INSTALLATION**

- A. All Water service lines shall be installed in accordance with the Illinois Plumbing Code and the Standard Specifications for Water and Sewer Main Construction in Illinois.
- B. It is illegal to use any pipe, plumbing fitting fixture, solder, or any flux, in the installation or repair of a public water system or customer's drinking water plumbing unless it meets the State of Illinois' new definition of lead-free. The new definition of lead free means:
  - 1. Not containing more than 0.2 percent lead when used with respect to solder and flux; and
  - 2. Not more than a **weighted average of 0.25 percent lead** when used with respect to the wetted surfaces of pipes, pipe fittings, plumbing fittings, and fixtures.
- C. Refer to the Technical Guidance Manual for details and specifications.

### **Sec. 36-342. LOCATION OF CURB STOP (BUFFALO BOX)**

- A. A curb stop (buffalo box) shall be installed in the parkway at a point eighteen (18) inches from the outer edge of the sidewalk and within plus or minus one inch of the finished grade. If no sidewalk exists, the curb stop shall be installed six (6) feet outside the lot line and within plus or minus one inch of the existing grade.
- B. In areas where there are no parkways, curb stops (buffalo boxes) may be located at such points as are approved by the Superintendent.

- C. **All curb stops (buffalo boxes), installed subsequent to the effective date of this Ordinance, must be placed in an accessible location.** In the event the developer/builder inadvertently installs a curb stop (buffalo box) under a driveway, paved or otherwise, or locates the curb stop (buffalo box) in any other area inaccessible by the COUNTY, the developer/builder shall be required by the COUNTY to relocate said curb stop (buffalo box) at the sole expense of the developer/builder.
- D. In no event shall the issuance of a permit by the COUNTY imply acceptance of any liability by the COUNTY for any damage to such box or expense of necessary relocation.

#### **Sec. 36-343. SERVICE PIPES**

Service pipes from the distribution water main to and including the meter yoke of the connected premises shall be installed by, and at the sole cost of either the owner of the premises or the applicant for water service.

#### **Sec. 36-344. RESPONSIBILITY FOR MAINTENANCE AND REPAIR**

- A. The COUNTY shall be responsible for the maintenance of the water service lines from the water main to the center of the curb stop valve.
- B. The owner of a connected building or premises shall be responsible for maintenance of the water service line from the center of the curb stop valve to and throughout the connected property. Such maintenance shall include, but not be limited to keeping the water piping and fixtures **on the owner's property** in good repair and free from water leaks. In the event leakage or faulty plumbing results in the waste of water, the owner shall make necessary repairs promptly upon notice from the COUNTY. If the owner fails to make required repairs within the time specified in the notice, the water supply shall be discontinued until such repairs are made and the COUNTY is notified.
- C. The COUNTY reserves the right to make repairs to the line if the property owner, after proper notification by the COUNTY, and after five (5) working days, fails to repair such line. In the event the COUNTY determines it is necessary to repair the water line on the owner's property, the COUNTY reserves the right to recapture all costs, including labor, materials, and equipment, for repair of the water line.

#### **Sec. 36-345. PERMIT FOR REPAIRS OR ALTERATIONS**

- A. The owner of any connected premises, the occupant thereof, or the user of the Water System shall apply to the COUNTY for a permit before making any alterations to a water service line or connection.
- B. The Superintendent's approval shall be required before such alterations are begun.



- C. The customer must pay an inspection fee as set forth in FIGURE D and call 24 hours in advance to schedule an appointment. The contractor shall excavate the water at the property line following Illinois State Construction Standards. The contractor shall use material approved by the department to cap the service line at the property line. The contractor must shut off the b-box, excavate on the private property side of the b-box, and install a brass plug in the round-way valve, or by another method approved by the Superintendent. All completed work must be witnessed by the County inspector before it is backfilled.

D. Water service disconnect

If a building is to be constructed on a vacant lot within one year, a temporary water disconnection may be allowed. Refer to the Technical Guidance Manual for additional details and specifications.

**Sec. 36-346. RIGHT OF INSPECTION AND TESTING**

- A. The COUNTY reserves the right to inspect the installation of water service lines between the water main and the water meter.
- B. Any contractor installing water service shall notify the COUNTY'S Department of Public Works by calling 630-407-6800 at least twenty-four (24) hours before installation begins. The contractor shall not tap the water main until a COUNTY representative has tested and approved the installation and has established service to the curb stop.
- C. The Contractor shall be required to expose all pipes and valves, at the contractor's expense, if the work is covered before an installation is properly inspected. No water service shall be permitted where an installation is not approved by the COUNTY.

**Sec. 36-347. WATER CONSERVATION PRACTICES**

The following water conservation practices shall be implemented in all new construction whenever applicable. Variances from these requirements shall be at the Superintendent's sole discretion:

- A. Metering of all new construction.
- B. Metering of existing non-metered services as part of any major remodeling.
- C. The installation of the following water efficient plumbing fixtures in all new construction and in all repair or replacement of fixtures or trim:

Fixtures	Maximum Flow
Water Closets, tank type	1.6 gal per flush
Water Closets, flushometer type	1.6 gal per flush

DuPage County Water/Wastewater Use Ordinance

Urinals, tank type	1.0 gal per flush
Urinals, flushometer type	1.0 gal per flush
Shower Heads	2.5 GPM
Lavatory, sink faucets	2.2 GPM

- D. The installation of closed system air conditioning in all new construction and in all remodeling.
- E. The requirement that all lavatories for public use in new construction or remodeling be equipped with metering or self-closing faucets.
- F. The requirement that all newly constructed or remodeled car wash installations be equipped with a water recycling system.
- G. Practices must be followed which will restrict non-essential outside water uses to prevent excessive, wasteful use. In addition, unrestricted lawn sprinkling will not be allowed from May 15 – September 15 of each year. Outside watering requirements and restrictions from May 15 – September 15 shall be as follows or as designated by the Superintendent.

Outside watering shall not be used on any day between the hours of 10:00 A.M. and 7:00 P.M., when evaporation is at its highest. Outside watering will be allowed before 10:00 A.M. or after 7:00 P.M., as determined by street number and day of the month (odd/even sequence). Odd street addresses may water on the odd days of the month and even street addresses may water on the even days of the month. New lawns (less than 3 months old) may be exempted from this provision upon prior approval from the COUNTY. In addition, new/replacement sprinkler systems shall be equipped with a WaterSense labeled irrigation controller and shall be in compliance with Section 2.5(g) of the Illinois Plumbing License Law [225 ILCS 320]. for the purpose of:

1. Watering or sprinkling gardens, lawns, trees, shrubs and other outdoor plants, except that such restrictions shall not prohibit the watering of newly planted gardens, lawns, trees, shrubs and plants with hand held water devices.
2. Filling swimming pools; and
3. Pursuant to 17 Ill. Adm. Code 3730.307 (c) 4) and subject to the Illinois Plumbing Code (77 Ill. Adm. Code 890) and the Lawn Irrigation Contractor and Lawn Sprinkler System Registration Code (77 Ill. Adm. Code 892), all new plumbing fixtures and irrigation controllers installed after the effective date of this ordinance shall bear the WaterSense label (as designed by the U.S. Environmental Protection Agency WaterSense Program), when such labeled fixtures are available.

DuPage County Water/Wastewater Use Ordinance

Any violations of the watering restrictions established by the Superintendent shall be punishable by a fine not less than one hundred dollars (\$100.00) nor to exceed one thousand dollars (\$1,000) or other remedy available at law or in equity (pursuant to authority granted at 55 ILCS 5/5-113 and 5/5-15001, et seq.).

- H. The COUNTY reserves the right to enact any measures required to accurately account for water used, leakage in system or any other purposes.

**Sec. 36-348 through 36-369. RESERVED**

**ARTICLE 10: WATER METERS**

**Sec. 36-370. WATER TO BE METERED**

- A. No water shall be withdrawn from a COUNTY Water Supply and Distribution System except through a COUNTY-approved water meter.
- B. All new water meters installed on service lines connected to a COUNTY Water System, are required to be equipped with radio transceivers.

**Sec. 36-371. METER TYPE**

- A. All meters purchased by a resident homeowner or a developer, for use on private well for metered sewer charges or for use with the COUNTY public water supply, shall be the Sensus IPERL or Sensus OMNI type water meter with a radio transceiver, or other water meter as approved by the department.
- B. Meters are to read in U.S. Gallons.

**Sec. 36-372. METER FURNISHED BY COUNTY**

The COUNTY shall furnish and set all meters and radio transceivers, and will charge user for same in accordance with the figures set forth in **FIGURE D**.

**Sec. 36-373. METER REQUIREMENTS**

- A. Prior to the installation of any meter the owner of the connected premises or the user of the water system shall install an appropriate meter span/meter yoke at the owner's expense. Meters installed require an electrical grounding strap.
- B. Prior to water being withdrawn from the COUNTY system a COUNTY approved water meter shall be installed by the user. All users shall be billed based on a non-metered user rate from the date of connection, until an installed meter has been sealed and inspected by the COUNTY.
- C. The COUNTY shall install a radio transceiver when the installed meter is sealed and inspected.
- D. A meter will be required to be installed at the time of the rough plumbing inspection.
- E. An isolation valve shall be installed on both the inlet and outlet side of the meter. If the valves are found to be non-operational, the account holder is required to replace at the owner's expense.

**Sec. 36-374. METER LOCATION**

All meters must be set inside the connected premises which they serve, at a point free from frost danger, and readily accessible to the meter reader. All meter installations are subject to the Superintendent's approval concerning the location and method of installation. Where a water meter is so located that it is not readily accessible to reading by the COUNTY, or in the event any given user's water meter cannot be read, the Superintendent is hereby authorized to request in writing that the property owner, at the property owner's expense, remove any obstruction within a time limit set by the Superintendent.

**Sec. 36-375. METER INSTALLATION**

- A. All meters installed pursuant to this Ordinance shall be installed horizontally, unless the manufacturer's requirements specify some other method of installation.
- B. In such a case, the Superintendent shall approve any such alternative installation before the work is performed.

**Sec. 36-376. SINGLE METER FOR MULTIPLE FAMILY BUILDINGS**

The owner of multiple-family or multiple-occupancy buildings under single ownership may request a single meter for the entire building. Such owner shall be responsible for the payment of water charges for the whole building.

**Sec. 36-377. METER AND RADIO TRANSCEIVER MAINTENANCE AND REPAIR**

- A. It shall be the duty of the owner of the connected premises, the occupant thereof, and the Water System user to preserve and to protect any meter and radio transceiver installed on the premises from damage by freezing, excessive heat, mechanical injury, and from theft.
- B. The account holder shall be charged for the costs of repairing or replacing a meter or radio transceiver damaged or lost for any of the above-described reasons.
- C. Meter testing alternatives.
  - 1. If the user requests his/her meter to be inspected, the COUNTY shall, without cost to the user, provide inspections by a COUNTY employee.
    - a. The account holder may request that the meter be removed and sent to an independent testing facility. The COUNTY employee will then remove the meter and install a substitute meter. The account holder's meter shall be sent out by the COUNTY for such tests.

- i.) If the independent test finds the meter to be accurate then the account holder shall be charged the actual cost of the independent meter testing plus a department processing fee. (See FIGURE D).
  - ii.) If the independent test facility finds the meter to be faulty, then the COUNTY shall, without cost to the account holder, pay the cost for such tests and install a replacement meter at the account holder's location.
- 2. If the meter is found to have been faulty, then the account holder may request adjustment of his/her billing to reflect the average of prior years' usage for the same period.

#### **Sec. 36-378. METER TESTING AND REPAIR**

- A. The Superintendent shall from time to time order the routine inspection and testing of water meters. Between routine tests the Superintendent shall order the inspection and testing of any water meters which the COUNTY suspects to be out of order.
- B. Any meter which is tested and found to be faulty, shall be repaired or replaced at the COUNTY'S expense, except as otherwise provided in **Sec. 36-377**.

#### **Sec. 36-379. METERS OWNED BY THE COUNTY**

All water meters owned by the COUNTY shall remain the property of the COUNTY. The service charge to the user is for the long-term repairs and maintenance of the meter and radio transceiver and does not confer any ownership rights.

#### **Sec. 36-380. FAULTY METERS**

- A. Whenever the COUNTY has knowledge that any meter fails to properly register the amount of water passing through it, the account holder shall be charged the amount billed for a corresponding period of time during the previous year.
- B. If no record for the previous year exists, a charge shall be estimated based upon the standards shown for unmetered usage. The account holder shall pay the amount so estimated.

#### **Sec. 36-381. LEAKAGE**

The user shall be responsible for maintaining all pipes and fixtures on the connected premises. No credit for water service will be given to the account holder on excess meter charges caused by leakage and waste on the connected premises, whether or not the user has knowledge of such leaks. The account holder may request a credit for sewer service charges in cases where documentation is provided that clearly indicates a failed water line or leak within the account holders's water system has caused an increase in the sewer service charges portion of their bill

and the water did not enter the sewer system; staff will readjust the sewer bill to a typical monthly charge for that time of year. In cases where the water leak does enter the sewer system, staff will credit 50% of the increased charges, compared to typical monthly sewer charges for that time of year for the duration of the leak as confirmed by staff.

**Sec. 36-382. USE OF WATER FROM FIRE HYDRANT**

- A. Prior to using water from any fire hydrant connected to a COUNTY Water System, the user shall apply to the COUNTY for a hydrant meter for such use.
- B. A hydrant meter will be issued upon completion of the appropriate form, and payment of deposit equal to one hundred fifty percent (150%) of the current market value of the hydrant meter, plus a non-refundable five-dollar (\$5.00) per day use charge. The deposit will be refunded upon payment for the water used and return, during regular business hours, of the hydrant meter in good working condition.

**Sec. 36-383. UNAUTHORIZED USE OF UNMETERED WATER**

- A. In any case where a building or facility is connected to a COUNTY Water System and an approved water meter has not been installed, the account holder shall be liable for payment for all such water used as estimated pursuant to the standard formula for unmetered use as well as an additional fine of one-thousand dollars (\$1,000.00) per occurrence.
- B. If the user of DuPage County water fails to arrange with the COUNTY for installation of an approved meter on the premises within fourteen (14) days after being directed to do so by the COUNTY, water services to the premises shall be terminated according to the procedures specified in **Section 36-508** of this Ordinance.

**Sec. 36-384 through 36-399. RESERVED**

## **ARTICLE 11: WATER CONNECTION PERMITS AND FEES**

### **Sec. 36-400. APPLICATION AND FEE**

No permit for connection to or extension of the COUNTY'S Water System shall be issued until the appropriate application has been filed and the Water System Connection Fee has been paid.

### **Sec. 36-401. APPLICATION FORM**

All applications for permits for connection to or extension of the COUNTY'S Water System shall be submitted to the COUNTY on a form furnished by the COUNTY. The permit application shall be accompanied by plans, specifications, and/or other relevant information as determined by the Superintendent. Only properly executed application forms will be accepted for review.

### **Sec. 36-402. WATER CONNECTION FEES**

The charge for connecting any premises, structure, or facility to the COUNTY'S Water Supply or Distribution System shall be determined by the size of the meter installed, plus the water meter fee. The Connection Fee is listed in **FIGURE D**, the **DUPAGE COUNTY WATER/WASTEWATER USE CHARGES**.

Water Connection Fees shall be paid before any premises are connected to a COUNTY Water System.

### **Sec. 36-403. WATER METER INSTALLATION FEES**

- A. Water Meter User Fees shall include the cost of the installation, use and maintenance of the water meter and radio transceiver.
- B. The water meter user fees shall be paid at time of obtaining a water connection permit.
- C. Meters installed require an electrical grounding strap. The location of the water meter and radio transceiver (endpoints/touchpads) shall be readily accessible to the COUNTY'S inspectors. If the water meter is located such that accessibility by the COUNTY inspectors is obstructed, (i.e. plantings, walls, bricks, etc.), the COUNTY shall issue a notice to the account holder requesting the removal of the obstruction within fourteen (14) days. If the obstruction is not removed within such time then the COUNTY may, at its option, terminate water supply to the property or bill for water usage at the standard rates prescribed for unmetered usage. The COUNTY shall not be responsible for any restoration or replacement costs to such obstructions.



**Sec. 36-404. RADIO TRANSCEIVER**

For those water meters installed prior to the effective date of this Ordinance, the COUNTY may, without cost to the account holder, install a radio transceiver when the meter is replaced, or removed for testing.

**Sec. 36-405. DISPUTES AND PROTESTS**

Any dispute, or protest, regarding actions, water connections fees, water installation fees, and/or permits may be made by following the procedure set forth in **Article 18**, Appeals Procedure.

**Sec. 36-406. REFUNDING CONNECTION FEES**

If the Superintendent of Public Works, acting pursuant to the provisions of **Article 18**, determines that an applicant is entitled to a refund of a water connection fee, such fee shall be refunded, minus an amount equal to the Department Processing Fee (see **FIGURE D**).

**Sec. 36-407 through 36-419. RESERVED**

**ARTICLE 12: SERVICE CHARGES FOR USE OF WATER SYSTEM**

**Sec. 36-420. WATER SERVICE CHARGE**

- A. A Water Service Charge shall be billed bimonthly to the landowner or developer of a new subdivision for each platted lot in a new subdivision.
- B. The Water Service Charge shall be calculated by multiplying the Service Rate by the number of residential equivalents assigned to the platted lot. Such Water Service Charge shall be charged as of the date that the COUNTY has approved the connection, all applicable fees have been paid and sewer service becomes available from the COUNTY. Such charge is a minimum, which shall be due regardless of whether or not any sewage is actually being discharged during any given period.
- C. The water rates are set forth within the rate schedule in **FIGURE D** of this Ordinance.

**Sec. 36-421. WATER CHARGES**

- A. Water charges will be calculated on a bimonthly basis or quarterly basis as determined by the COUNTY and adjusted for any previous consumption and/or adjustments, which water charges shall be based upon the rate schedule set forth in **FIGURE D**.
- B. A minimum charge equal to or greater than the charge for 8,000 gallons per month for non-metered usage.

**Sec. 36-422. BULK SOFTENED WATER RATE**

- A. A bulk softened water rate is to be charged to municipalities adjacent to the DuPage County Water System which require water on an emergency basis or in instances when the COUNTY provides water to customers that are located within an incorporated area, yet are on distribution mains which are not owned by the COUNTY.
- B. The bulk-softened water rate is the actual COUNTY softened water rate, excluding costs for hydrant flushing, valve turning, and repair of main breaks. The bulk water rate is set forth in **FIGURE D**.

**Sec. 36-423 through 36-449. RESERVED**

## **ARTICLE 13: LIMITATIONS ON WATER USE**

### **Sec. 36-450. PERIOD OF REGULATION**

The Superintendent may issue a directive limiting water usage when the weather, equipment malfunction, or other conditions limit water supply availability. Under this directive, water from any COUNTY Water Supply and Distribution System, shall be curtailed as specified for non-critical usage. Non-critical usage shall include, but not be limited to:

- A. Watering or sprinkling gardens, lawns, trees, shrubs, and other outdoor plants, except that such restrictions shall not prohibit the watering of newly planted gardens, lawns, trees, shrubs, and plants with hand held watering devices; and
- B. Filling swimming pools and ponds; and
- C. Washing vehicles, houses, trailers, driveways and sidewalks.

### **Sec. 36-451. ADMINISTRATIVE REGULATION OF WATER USE**

Whenever the water supply from any COUNTY Water Supply or Distribution System is diminished, from any cause, to the point where the public health, safety, and welfare of the area served by said system or, any part thereof, is endangered in the opinion of the Superintendent, the Superintendent may issue an administrative notice for a period not to exceed seven days (7) providing for the following:

- A. A total prohibition of the use of water from the System, or any part thereof, for the purpose set forth in **Section 36-450** above; or
- B. Regulating the amount of water used by Commercial and Industrial Users within the System or any part thereof; or
- C. Regulating the hours of use for some or all purposes.

### **Sec. 36-452. PUBLIC NOTIFICATION OF ADMINISTRATIVE REGULATION OF WATER USE**

Any administrative notice issued, pursuant to **Section 36-452** shall not extend beyond a seven-day period commencing at 12:01 a.m. of the day following its promulgation. The Superintendent's best effort shall be used to make the contents of such notice known to the public, and to those affected thereby. Such publication may include news releases to newspapers, radio, and television stations. Upon the promulgation of such a notice, the Superintendent shall notify the Chairman of the DuPage County Board and the Chairman and members of the Committee of said Board responsible for the Public Works Department of DuPage County. The County Board may consider said administrative notice and may modify, extend, or terminate said notice. Any person, firm, or corporation violating the provisions of any

administrative notice issued under this Article, shall be deemed to be in violation of this section of the Ordinance and shall be liable for the penalties provided in **Section 36-453** hereof.

**Sec. 36-453. WATER USE FINES**

Any person, firm, or corporation, violating or knowingly allowing the violation of any provision of this Article, shall be guilty of a petty offense punishable by a fine not to exceed one thousand dollars (\$1,000.00) with each day the violation persists constituting a separate offense, or other remedy available at law or in equity. Violation of this Article shall be a petty offense as defined in Chapter 730, paragraph 5/5-1-17 of the Illinois Compiled Statutes.

In case any person, firm or corporation, or anyone acting on behalf said person, firm, or corporation, is in violation of this Ordinance, the proper authorities of the COUNTY, may in addition to other remedies, institute any appropriate action or proceedings in equity to prevent or abate such violation and to further prevent any illegal act.

**Sec. 36-454 through 36-469. RESERVED**

**ARTICLE 14: BILLING & COLLECTION OF WATER/WASTEWATER FEES**

**Sec. 36-470. LIABILITY FOR PAYMENT FOR SERVICES**

- A. Any owner or occupant of a connected premises receiving service provided by a COUNTY Water Supply or Distribution System or Sanitary Sewer System, shall be jointly and severally liable to the County of DuPage for the payment of any charges resulting from such use.
- B. The account holder shall be liable to make full payment for all charges billed by the COUNTY within the time period provided by notice on such bill. If the account holder is a tenant and fails to pay charges in a timely basis, the County may notify the owner of such delinquency in advance of any lien. If an account holder disputes any billing for water/wastewater charges by the COUNTY, such account holder may petition the COUNTY in writing for a review and demand explanation for such billing. If it is determined that an overbilling has occurred, then the COUNTY shall be liable to reimburse the account holder. Any billing not questioned within six (6) months of the date of the bill will be considered to have been accepted by the account holder or owner as correct.

**Sec. 36-471. BILLING FOR SERVICES**

- A. Any fees or charges for the use of a COUNTY Water Supply Distribution System, COUNTY POTW, and/or Sanitary Sewer System shall be billed and payable every two months or quarterly as determined by the COUNTY, either of which shall constitute the billing period.
- B. Bills for Water Service or Wastewater Treatment Service shall be mailed to users every other month or quarterly as determined by the COUNTY.
- C. Regardless of the number of units in a building or complex, there shall be only one bill issued per meter. A connected premises which is served by a common system of water or wastewater services measured through a single meter, which connected premises contains multiple units shall receive one bill per billing period. In the event that more than one unit is served by a common meter, it shall be the responsibility of the owner/developer to establish an association which will be liable for the payment of the total bill for such meter. If an association has not been established, service bill(s) shall be mailed to the condominium or complex management office. Water service and/or wastewater treatment service bills will not be mailed to individual non-metered unit owners or occupants. Failure of the association or complex management to pay such total bill shall result in the same potential for liens or for termination of service to all those served by the single meter as otherwise provided in **sections 36-473 and 36-475**.
- D. All user bills shall be due and payable twenty-one (21) days after the date of mailing. An eight percent (8%) penalty, per billing period, may be assessed against the current

charges of the outstanding balance of any bill not paid by the twenty-first (21st) day after it has been rendered, unless otherwise regulated by STATE statute.

**Sec. 36-472. RETURNED CHECK AND CREDIT CARD CHARGE BACK FEE**

Any user, whose check or credit card payment is returned from a financial institution for any reason, will be charged a handling fee as indicated in **FIGURE D**, which will be added to the user's account. In addition, penalty charges, as required, will also be added to the account.

**Sec. 36-473. TERMINATION OF SERVICE**

- A. If the charges for use of COUNTY water supply and distribution or wastewater treatment services are not paid within forty-five (45) days after the date of the bill for such services, either wastewater treatment service, or water service, or both such services, may be discontinued. The Superintendent shall give written notice of his intention to terminate service within ten (10) working days by: a) depositing said notice in the U.S. mail, sending first class mail, postage prepaid, b) in a sealed envelope, by hand delivering said notice to the owner of any connected premises, the occupant thereof, or users of water or wastewater treatment services, or c) by posting such notice in a prominent place on the premises.
- B. Such notice shall contain information defining the termination appeal procedure. Such notice shall contain the date and time for hearing before the Public Works Committee of the DuPage County Board. The person so appealing may appear in person, by counsel or in writing at such hearing.
- C. The Public Works Committee shall hear and decide the appeal on the date set by the notice of termination and shall render its decision in writing. The decision shall also appear in the minutes of the Public Works Committee.
- D. If an account holder receives notice that service will be terminated for non-payment, all past due amounts must be paid within ten (10) working days of the date on which the notice is either deposited in the U.S. mail or posted on the connected premises in order to suspend the termination action. All past due amounts must be paid to the COUNTY in cash, credit card, money order, cashier's check or certified check.
- E. An account holder shall pay for re-establishment of the sewer/water service as listed in Figure D, online or in person between the hours of 8:00 am and 2:00 pm, Monday through Friday, except on holidays to have service restored the same day. All re-establishment charges must be paid at the Department of Public Works Office during regular working hours, regardless of the time reconnection shall occur. Fees must be paid before re-establishment of the sewer/water service will be scheduled.

If a physical disconnection of a service line has been conducted, a reconnection charge as listed in **FIGURE D**, shall be due to the County of DuPage, prior to reconnection of

sewer/water service. Fees must be paid before reconnection of sewer/water service will be scheduled.

Payment must be made to the Public Works Department in cash, credit card, money order, cashier's check, or certified check.

#### **Sec. 36-474. LIEN/NOTICE OF DELINQUENCY**

- A. Whenever a bill for use of COUNTY Water Supply and Distribution or Sanitary Sewer Service remains unpaid for forty-five (45) days after it has been rendered, the Superintendent, or his/her designee, may file with the County Recorder of Deeds a statement of lien claim. This statement shall contain the legal description of the premises served, the amount of the unpaid bill, and a notice that the COUNTY claims a lien for this amount as well as for all charges subsequent to the period covered by the bill. A copy of this statement and a delinquency notice shall be sent to the customer who's delinquent and the owner of record at the time the lien is filed.
- B. If the COUNTY has notice that any user of water or sanitary sewer services, whose bill is unpaid, is not the owner of the connected premises, the COUNTY shall forward notice of the lien to the owner of the premises when the owner's identity and address become known.
- C. The failure to record such lien or to mail such notice, and/or the owner's failure to receive such notice, shall not affect the COUNTY'S right to undertake foreclosure action as provided for in **Section 36-476**.

#### **Sec. 36-475. COLLECTION OF UNPAID CHARGES**

The State's Attorney is authorized to institute any proceeding necessary to collect a bill which has remained unpaid forty-five (45) days after it was rendered, against the owner and/or occupant of property serviced by COUNTY water and sewer, and/or the account holder for such services. In any judgment for a delinquent account DuPage County shall be entitled to all court fees, charges and reasonable attorney expenses. Further, property subject to a lien for unpaid charges may be sold for nonpayment of the same, and the proceeds of the sale shall be applied to pay the charges, after deducting costs, as is the case in the foreclosure of statutory liens. The State's Attorney is authorized to institute such proceedings, or any other proceeding the State's Attorney deems appropriate, in the name of DuPage County, in any court of competent jurisdiction, against any property for which the bill has remained unpaid forty-five (45) days after it has been rendered.

#### **Sec. 36-476. REVENUE**

All revenues and moneys derived from the operation and maintenance of the Water Supply and Distribution or POTW and/or sanitary sewer service, shall be deposited in accordance with the

DuPage County Water/Wastewater Use Ordinance

most recent County of DuPage Revenue Bond Ordinance, and applicable State of Illinois Statutes.

**Sec. 36-477. ACCOUNTS**

The Superintendent shall establish a system of accounts and shall keep proper books, records, and accounts in accordance with the most recent DuPage County Revenue Bond Ordinance.

**Sec. 36-478 through 36-489. RESERVED**



## **ARTICLE 15: REVIEW OF WATER/WASTEWATER USER CHARGES**

### **Sec. 36-490. ANNUAL ADJUSTMENT OF WATER/WASTEWATER CHARGES**

The implementation of charges hereby established for Water/Wastewater Use shall be determined by the Superintendent on a yearly basis, and if adopted by the County Board, the rates shall be in effect at a date specified by the County Board. The approved schedule of rates shall be published on **FIGURE D** and available for inspection at the COUNTY.

### **Sec. 36-491. COUNTY REVIEW OF USER CHARGES**

The COUNTY shall review its user charges at least once every two (2) years, in order to accomplish the following purposes:

- A. The proportionate distribution of operating, maintenance, and replacement costs among users.
- B. The generation of sufficient revenue to pay the total operation and maintenance costs necessary for the proper operation and maintenance (including replacement) of the Water Supply and Distribution System, the POTW, and sanitary sewer system; and
- C. The generation of sufficient revenues to pay the principal and interest on all revenue bonds issued to construct any POTW, sanitary sewer system, or extension of the Water Supply or Distribution System.

### **Sec. 36-492. NOTICE OF RATES**

A copy of this Ordinance, and any amendments hereto, properly certified by the DuPage County Clerk, shall be filed in the office of the Recorder of Deeds of DuPage County. A minimum of thirty (30) days prior to the effective date for any rate change for water/wastewater use services, notice of said change and the proposed rates shall be published in a newspaper of general circulation in the County of DuPage. Publication shall be deemed proper notice to all owners of connected premises, occupants thereof, and users of water/wastewater services, of the charges set forth in this Ordinance and amendments thereto.

### **Sec. 36-493. ACCESS**

The IEPA, or its authorized representative, shall have access during normal business hours to any books, documents, papers, records of the COUNTY which are applicable to the COUNTY water/wastewater systems or user charges for the purpose of making audits, examinations, excerpts, and transcriptions thereof, to ensure compliance with the terms of the Special General conditions of any STATE Grant.

### **Sec. 36-494 through 36-499. RESERVED**

**ARTICLE 16: PROTECTION OF WATER/WASTEWATER FACILITIES**

**Sec. 36-500. NO UNAUTHORIZED ENTRY INTO WASTEWATER SYSTEMS**

No unauthorized person may intentionally enter any manhole, lift station, or structure comprising any part of the COUNTY POTW, sanitary sewer system, or any appurtenances thereof.

**Sec. 36-501. PENALTIES FOR USE OF UNMETERED WATER**

- A. Any person who causes or allows the service line to be tapped ahead of the water meter shall be subject to the penalties authorized by this Ordinance, and to termination of water service.
- B. No user of the COUNTY'S Water Distribution System may receive unmetered water, except in the case of a temporary emergency and with the Superintendent's consent.

**Sec. 36-502. NO UNAUTHORIZED OPERATION OF WATER SUPPLY OR DISTRIBUTION SYSTEM**

No unauthorized person is allowed to interfere with or operate any valve or hydrant, nor enter any structure which comprises any part of the COUNTY'S water system or its appurtenances.

**Sec. 36-503. NO TAMPERING WITH WATER METER**

No unauthorized person is allowed to tamper with any water meter or in any way interfere with the proper recording of water passing through the meter.

**Sec. 36-504. NO UNAUTHORIZED CONNECTION**

No unauthorized person is allowed to make any connection to the sanitary sewer system or water distribution system.

**Sec. 36-505. NO PRIVATE WATER SUPPLY CROSS CONNECTION**

No private water supply system, which receives its water supply from any well, cistern, or other source, shall connect directly or indirectly with any pipe or system of pipes receiving water from the COUNTY water system.

**Sec. 36-506. TERMINATION OF WATER/WASTEWATER TREATMENT SERVICE FOR UNAUTHORIZED USE**

- A. Where any water or sewer pipes or connections installed on connected premises are unauthorized, defective, or present a danger to the public health, the Superintendent may, upon proper notice, terminate the water supply or sewer connection to such connected premises.

- B. Where such termination is ordered, the Superintendent shall notify the owner of the connected premises, the occupant thereof, or the user of the COUNTY'S Water/Wastewater System. Such notice shall contain a list of repairs that must be made, or connection and user fees, which must be paid before water or sewer service will be restored.
- C. Water or sewer service shall not be restored to such premises until all repairs ordered by the Superintendent have been completed, inspected, and approved by the Superintendent, and arrangements for payment of fees due have been approved by the Superintendent.

#### **Sec. 36-507. EMERGENCY AUTHORITY-INJUNCTIVE RELIEF**

In circumstances of substantial danger to the environment or ecosystem, or imminent danger to the public health, welfare, or livelihood of persons, the State's Attorney, upon the request of the COUNTY, may institute a civil action for an immediate injunction to halt any discharge or other activity, which presents or may present an endangerment to the environment or ecosystem, or which threatens to interfere with the operation of a water supply and distribution system, POTW, or sanitary sewer system. The State's Attorney may also pursue any such other action that may be necessary.

#### **Sec. 36-508. CRIMINAL COMPLAINT**

The State's Attorney, is hereby authorized to sign a criminal complaint on behalf of the COUNTY, alleging a violation of this Ordinance or of the Criminal Code of 1961 (Illinois Compiled Statutes, Chapter 30, paragraph 5/5-1-17) or of the Illinois Environmental Protection Act (Illinois Compiled Statutes, 1992, Chapter 415, paragraphs 5/43 and 5/44.

#### **Sec. 36-509. FINES**

- A. Violation of this, a COUNTY Ordinance, except as otherwise provided, shall be subject to punishment for a petty offense with a fine not to exceed one thousand dollars (\$1,000.00), or other remedy available at law or in equity (pursuant to authority granted at 55 ILCS 5/5-1113 and 5/5-15001, et seq.). Each day the violation persists constitutes a separate violation.
- B. In case any person, firm or corporation, or anyone acting on behalf of said person, firm, or corporation, is in violation of this Ordinance, the proper authorities of the COUNTY, may in addition to other remedies, institute any appropriate action or proceedings in equity to prevent or abate such violation.

#### **Sec. 36-510. LIABILITY**

- A. Any person, firm, or corporation which releases any prohibited or harmful discharge (as defined in **Article 2, SECTION 36-10** of this Ordinance) into the sanitary sewer system, shall be liable for all costs incurred by the COUNTY for disposing of sludge contaminated

by such prohibited wastes and for purging the POTW or sanitary sewer system of such prohibited wastes. Such person, firm, or corporation shall also be liable for any fine or civil penalty incurred by the COUNTY by reason of discharging such prohibited wastes or waste by-products into the waters of this STATE.

- B. If the Industrial User of a POTW is not in compliance with the System of Industrial User Charges required by this Ordinance, or any other regulations promulgated by the COUNTY hereunder, the system of charges and regulations may be enforced directly against the Industrial User by the COUNTY or by the State's Attorney, proceeding in a court of competent jurisdiction, to secure payment for any charges owed.

### **Sec. 36-511. CROSS-CONNECTION CONTROL PROGRAM**

- A. All plumbing installed within the jurisdiction of the DuPage County Department of Public Works shall be installed in accordance with the Illinois Plumbing Code, 77 ILL. Adm. Code 890. In accordance with the Illinois Plumbing Code, or if in the judgment of the Superintendent of the Department of Public Works, ("Superintendent") an approved backflow prevention device is necessary for the safety of the public water supply system, the Superintendent will give notice to the water customer to install such an approved device immediately. The water customer shall, at his own expense, install such an approved device at a location and in a manner in accordance with the Illinois Plumbing Code, Illinois Environmental Protection Agency and all applicable local regulations, and shall have inspections and tests made of such approved devices upon installation and as required by the Illinois Plumbing Code, the Illinois Environmental Protection Agency and local regulations.
- B. Backflow devices installed for irrigation hazards shall be tested upon turn-on of irrigation system, and no later than July 1, unless extension is approved and authorized by Superintendent. Requests for extensions must be made in writing and sent to the department for review.

#### **1. Inspection and Maintenance**

- b. a. It shall be the duty of the consumer at any premises on which backflow prevention devices required by this article are installed to have inspection, tests, maintenance, and repair made in accordance with the following schedule or more often where inspections indicate a need or are specified in manufacturer's instructions. Fixed proper air gap separations shall be inspected to document that a proper vertical distance is maintained between the discharge point of the service line and the flood level rim of the receptacle at the time of installation and at least annually thereafter. Corrections to improper or bypassed air gaps shall be made within 72 hours.

- c. Double check valve assemblies shall be inspected and tested at the time of installation and at least annually thereafter and required service performed within five days.
  - d. Reduced pressure principal backflow prevention assemblies shall be tested at the time of installation and at least annually or more frequently if recommended by the manufacturer and required service performed within five days.
- C. No person, firm or corporation shall establish or permit to be maintained any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of the DuPage County Department of Public Works may enter the supply or distribution system, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Superintendent and the Illinois Environmental Protection Agency.
- D. The Superintendent is authorized to cause surveys and investigations to be made of industrial and other properties served by the public water supply to determine whether actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated at least every two years, or as often as the Superintendent shall deem necessary. Records of such surveys shall be maintained and available for review for a period of five years.
- E. The approved cross-connection control device inspector shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the DuPage County Department of Public Works for the purpose of verifying the presence or absence of cross-connections, and that the Superintendent or his authorized agent shall have the right to enter at any reasonable time any property served by connection to the public water supply or distribution system of DuPage County Department of Public Works for the purpose of verifying information submitted by the customer regarding the required cross-connection control inspection. On demand the owner, lessees or occupants of any property so served shall furnish to the Superintendent any information, which the Superintendent may request regarding the piping system or systems of water used on such property. The refusal of such information, when demanded, shall, within the discretion of the Superintendent, be deemed evidence of the presence of improper connections as provided in this Ordinance.
- F. The Superintendent is authorized to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this Ordinance is known to exist, and to take such other precautionary measures as the Superintendent may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions have been eliminated or corrected in compliance with the provisions of this Ordinance and until the water reconnection fee is

paid to the DuPage County Department of Public Works. Immediate disconnection with verbal notice can be effected when the Superintendent is assured that imminent danger of harmful contamination of the public water supply system exists. Such action shall be followed by written notification of the cause of disconnection. Immediate disconnection without notice to any party, can be effected to prevent actual or anticipated contamination or pollution of the public water supply, provided that, in the reasonable opinion of the Superintendent, such action is required to prevent actual or potential contamination or pollution of the public water supply. Neither the County of DuPage, the Superintendent, or its agents or assigns shall be liable to any customer for any injury, damages or lost revenues which may result from termination of said customer's water supply in accordance with the terms of this Ordinance, whether or not said termination was with or without notice.

- G. Violation of **Section 36-511** of the Ordinance shall be subject to a fine not to exceed one thousand dollars (\$1,000.00) or other remedy available at law or in equity (pursuant to authority granted at 55 ILCS 5/5-1113 and 5/5-15001, et seq.). Each day the violation persists constitutes a separate violation.

**Sec. 36-512 through 36-599. RESERVED**

## **ARTICLE 17: POWERS AND AUTHORITY OF INSPECTORS**

### **Sec. 36-600. INSPECTION OF USER'S PREMISES**

- A. As a condition of providing water service or sewage collection and/or treatment, the Superintendent and other duly authorized COUNTY employees, with proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, re-inspection, observation, measurement, sampling, and testing to determine compliance with the provisions of this Ordinance. The Superintendent or his representatives shall have authority to inquire into any processes, including metallurgical, chemical, oil refining, ceramic, paper, or other industrial processes, which have a direct effect on the discharge to the storm or sanitary sewers, natural outlet, or POTW.
- B. Authorized representatives of the COUNTY, STATE, and USEPA shall have the right to place on the user's property such devices as are necessary to conduct sampling and monitoring. Where a user has security or safety measures in force which would require clearance, training, or wearing of special protective gear, the user shall make necessary arrangements, at its own expense, to enable authorized representatives of the COUNTY, STATE, and USEPA to enter and inspect the premises as guaranteed by this paragraph.
- C. Failure to allow such inspection, observation, measurement, sampling, and testing at any reasonable time may result in the termination of sewer and/or water service to such premises upon order by the Superintendent. Notification of such intention to terminate sewer and/or water service to such premises shall be given in writing to the owner and/or occupier of such premises, along with notification of the owner's or occupier's right to appeal such termination to the Public Works Committee of the DuPage County Board, pursuant to the provisions of **ARTICLE 18** of this Ordinance.

### **Sec. 36-601. OBSERVANCE OF SAFETY RULES**

While inspecting or performing any necessary work on private property pursuant to this Ordinance, the Superintendent or duly authorized employees of the COUNTY shall observe all safety rules applicable to the premises, which have previously been established by the user/owner/occupier of which the inspector has been properly notified. The COUNTY shall hold harmless the user/owner/occupier, its agents and employees, for injury of any person or for damage to property occasioned by such work, except as such may be caused by the acts or omissions of the user/owner/occupier, its agents or employees. Further, the COUNTY shall be liable to the user/owner/occupier for loss or damage to the user/owner/occupier's property, which is occasioned by the negligent acts of the COUNTY'S employees.

**Sec. 36-602. ENTRY UPON PROPERTY-EASEMENTS**

The Superintendent and other duly authorized employees or agents acting on behalf of the COUNTY, with the proper credentials and identification, shall be permitted to enter all private properties through which the COUNTY has an easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the water/wastewater systems. Any work done on the easement shall be done in full accordance with terms of the easement pertaining to the private property involved.

**Sec. 36-603 through 36-659. RESERVED**



**ARTICLE 18: APPEAL AND VARIANCE PROCEDURE**

**Sec. 36-660. RIGHT TO APPEAL AND VARIANCE**

- A. Every request for an appeal or variance shall be made, in writing, to the Superintendent. The Superintendent may delegate the hearing of appeals or granting of variances to the Public Works Committee of the DuPage County Board, in the manner provided for below.
- B. Appeals: Any person aggrieved by any decision, ruling or determination by the Superintendent, or by any interpretation or application of any provision of this Ordinance may appeal such matter. An appeal of any decision made by the Superintendent shall be made within fourteen (14) days of the decision contested, excepting an appeal involving the assessment, charge or calculation of any fee, fine, penalty or bill, in which cases which an appeal shall be brought before said amount becomes thirty (30) days past due. Variances: Any person affected by any provision of this Ordinance, or who feels the intent of this Ordinance or any rule adopted pursuant thereto has been met or that substitute materials, equipment or construction will provide as good or better result when utilized, shall have the right to request a variance from the strict application of this Ordinance.
  - 1. The appeal and/or variance procedure shall commence when the person aggrieved notifies the Superintendent, in writing, of his intent to seek a variance from a provision(s) of this Ordinance or appeal the decision of the Superintendent. Such notice shall contain a short, clear, statement stating the following:
    - a. For an appeal: Identifying the decision of the Superintendent which such person is appealing and how the Ordinance has been misread, misinterpreted or misapplied in this instance and, or, any mistakes of fact the aggrieved believes the Superintendent to have relied upon.
    - b. For a variance: Explanation as to why the application of such Ordinance, provision or decision of the Superintendent would work an undue hardship and/or, the person's unique circumstance or condition.
    - c. For both appeals and variances: The name and both a mailing address and a telephone number of the person making the request, which contact information shall be used for giving notices related to the appeal or variance proceeding. The person making the request shall attach all written materials on which he intends to rely upon in support of the request.
  - 2. The Superintendent may, without conducting a hearing, grant the relief sought by the appeal and/or, variance, or may set the matter over for a hearing in the manner herein provided.

3. Upon receipt of such Notice of Appeal or Variance, the Superintendent shall set a date for a hearing. Such hearing shall take place no fewer than thirty (30) days nor more than sixty (60) days from the date that the Superintendent receives such Notice of Appeal unless the Superintendent and party requesting the hearing agree to a different schedule. The Superintendent shall notify the person making the appeal of the date of such hearing.
  4. At the hearing the person making the appeal, or requesting the variance, may appear in person or represented by counsel, or submit his case in writing. The decision concerning the appeal, or variance request, shall be in writing, shall be communicated to the person making the appeal, and shall state a finding of fact upon which the decision is based.
- C. The Public Works Committee shall have the authority to grant variances from the strict application of any provision(s) of this Ordinance and/or, to reverse, modify or affirm any decision, ruling or determination by the Superintendent made pursuant to this Ordinance upon an appeal. The Public Works Committee shall not act in a manner that would violate or in any way conflict with any Federal or State standard or requirement. The Committee, or County Board, may adopt such additional rules and procedures, as it deems appropriate for performing such matters.
- D. The decision of the Public Works Committee may be appealed to the County Board in accord with the County Board Rules.

**Sec. 36-661 through 36-699. RESERVED**

**ARTICLE 19: VALIDITY**

**Sec. 36-700. SEVERABILITY CLAUSE**

The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance, which can be given effect without such invalid part or parts.

**Sec. 36-701 through 36-719. RESERVED**

**ARTICLE 20: ORDINANCE IN FORCE**

**Sec. 36-720. EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

**Sec. 36-721 through 36-749. RESERVED**

**ARTICLE 21: ILLINOIS DEPARTMENT OF PUBLIC HEALTH AND DUPAGE  
COUNTY PUBLIC HEALTH DEPARTMENT RULES  
INCORPORATED BY REFERENCE**

**Sec. 36-750. WATER WELL PUMP INSTALLATION CODE**

Refer to Chapter 34 of the DuPage County Code.

**Sec. 36-751. WATER WELL CONSTRUCTION CODE**

Refer to Chapter 34 of the DuPage County Code.

**Sec. 36-752. ADOPTION OF PRIVATE SEWAGE DISPOSAL ORDINANCE**

Refer to Chapter 29 of the DuPage County Code.

**Sec. 36-753. MORTGAGE SURVEY INSPECTION AND FEE**

Refer to Chapter 29, Article XIV, Sections 29.19.1 and 29.19.2 of the DuPage County Code.

**Sec. 36-754 through 36-799. RESERVED.**

Enacted Resolution EXEC-106-77, June 13, 1977.

Amended Resolution CS-H-02-81, March 18, 1981.

Amended Ordinance HHS-ORD-04-85, December 17, 1985

**ARTICLE 22: REPEALER**

**WATER ORDINANCES**

Ordinance, July 19, 1977.

Ordinance PW-ORD-001-82, February 23, 1982.

**WASTEWATER ORDINANCES**

Resolution PW-096-80 approved June 3, 1980.

Ordinance PW-128-80 approved August 12, 1980.

Ordinance PW-210-80 approved November 12, 1980.

Ordinance PW-157-81 approved February 12, 1981.

Ordinance PW-ORD-002-84, April 24, 1984.

Ordinance PW-ORD-001-85, March 12, 1985.

Ordinance PW-ORD-004-82 approved November 23, 1982,

Amendments to: Article 13, Sections 29-227.1, 2, 3, 4.

Ordinance PW-ORD-004-86 approved February 25, 1986.

Ordinance PWO-007-86 approved June 10, 1986.

Ordinance PWO-009-86 approved June 10, 1986.

Ordinance PWO-002-87 approved June 23, 1987.

Ordinance PWO-011-87 approved January 12, 1987.

Ordinance ECO-003-88 approved May 24, 1988.

Ordinance ECO-005-88 approved June 28, 1988.

Ordinance ECO-010-88 approved October 25, 1988.

Ordinance PWO-001-89 approved February 28, 1989.

Ordinance PWO-002-89 approved May 9, 1989

Ordinance PWO-003-89 approved June 27, 1989

Ordinance OPW-001-90 approved January 23, 1990

Ordinance OPW-002-90 approved June 26, 1990

Ordinance OPW-003-90 approved October 9, 1990

Ordinance PWO-003-91 approved July 9, 1991

Ordinance PWO-005-91 approved November 26, 1991

Ordinance OPW-004-92 approved August 25, 1992

Ordinance OPW-003-93 approved July 13, 1993

Ordinance OPW-011-93 approved December 28, 1993

Ordinance OPW-007-94 approved June 28, 1994

Ordinance OPW-001-95 approved February 28, 1995

Ordinance OPW-004-95 approved April 11, 1995

Ordinance OPW-005-95 approved June 27, 1995

Ordinance OPW-002-96 approved June 25, 1996

Ordinance OPW-004-96 approved August 13, 1996

Ordinance OPW-001-97 approved January 28, 1997

Ordinance OPW-005-97 approved June 24, 1997

Ordinance OPW-006-97 approved December 9, 1997

DuPage County Water/Wastewater Use Ordinance

Ordinance OPW-001-98 approved June 9, 1998  
Ordinance OPW-002-98 approved June 23, 1998  
Ordinance OPW-003-98 approved August 25, 1998  
Ordinance OPW-004-98 approved September 8, 1998  
Ordinance OPW-002-99 approved February 23, 1999  
Ordinance OPW-003-99 approved June 22, 1999  
Ordinance OPW-001-00 approved May 23, 2000  
Ordinance OPW-002-00 approved June 27, 2000  
Ordinance OPW-001-08 approved January 22, 2008  
Ordinance OPW-007-10 approved November 23, 2010  
Ordinance OPW-002-12 approved January 10, 2012  
Ordinance OPW-001-13 approved February 12, 2013  
Ordinance OPW-002-15 approved October 13, 2015  
Ordinance PW-O-0002-18 approved December 12, 2017  
Ordinance PW-O-0003-18 approved December 12, 2017  
Ordinance PW-O-0008-19 approved January 15, 2019  
Ordinance PW-O-0057-21 approved July 13, 2021

**THE END**

**DUPAGE COUNTY WATER/WASTEWATER TREATMENT ORDINANCE FIGURES**

**FIGURE A**

**DUPAGE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
WASTEWATER LOCAL LIMITS**

<u>PARAMETER</u>	<u>LOCAL LIMITS (maximum) *</u>
Cyanide	0.025 mg/l
Copper	2.07 mg/l
Mercury	0.0005 mg/l **
Nickel	2.38 mg/l
Chromium (total)	1.71 mg/l
Zinc	1.48 mg/l
Lead	0.43 mg/l
Cadmium	0.26 mg/l
Silver	0.24 mg/l

based upon twenty-four (24) hour composite sample when possible, except for Mercury and Cyanide.

See **Section 36-123 F.2.c.** of the Ordinance.

\*\* except as allowed by **Section 36-123 J.** of the Ordinance.



**FIGURE B**

**GREASE TRAPS**

**MAXIMUM ALLOWABLE ACCUMULATION LEVELS**

**STANDARD TRIPLE BASIN GREASE TRAP**

One-half (1/2) of the capacity of the basin as determined by the inlet and outlet structures.

**STANDARD FIVE-FOOT (5 FT) DIAMETER SINGLE BASIN GREASE TRAP**

One-half (1/2) of the capacity of the basin as determined by the inlet and outlet structures.

**STANDARD FOUR-FOOT (4 FT) DIAMETER SINGLE BASIN GREASE TRAP**

One-half (1/2) of the capacity of the basin as determined by the inlet and outlet structures.

**FIGURE C**

**SEWAGE FLOW GUIDE  
GUIDE DATE 7/13/21**

<u>PROJECT TYPE</u>	<u>CALCULATED SEWAGE FLOW IN GALLONS PER DAY (GPD)</u>
Animal Clinic/Kennel	.25 GPD/Sq. Ft.
Animal Grooming	100 GPD per work station
w/wash stations	250 GPD per work station
Apartments	150 GPD for 1 Bedroom 300 GPD for 2 Bedroom 350 GPD for 3 Bedroom
Airports	25 GPD per Employee 5 GPD per Passenger
Assembly Halls/Arenas	3 GPD per Seat
Auto Maintenance Facility	350 GPD for 1 <sup>st</sup> Service Bay 100 GPD for Each Additional Service Bay
Bar/Tavern/Coffee Shop/Gaming	25 GPD per Employee
(No Food Processing)	15 GPD per Customer Seating
(With Food Processing)	25 GPD per Customer Seating (paper products only) 15 GPD per seat (outdoor)
Banquet Halls	10 GPD per Seat
Bowling Alley	75 GPD per Bowling Lane 100 GPD per Bowling Lane with Food Service
Camps/Resorts	100 GPD per User per Single or double occ. Room 50 GPD per User per Multi occ. Room, 3 or more Camps
Car Wash	3500 GPD per Automated Reclamation Process
Churches/Religious Institution	3 GPD per Seat (under 100 Seats) 5 GPD per Seat (over 100 Seats)
Classroom/Daycare	See schools
Condominium-Multi –Family	350 GPD per unit

**FIGURE C**  
**Page 2 of 4**

<u>PROJECT TYPE</u>	<u>CALCULATED SEWAGE FLOW IN GALLONS PER DAY (GPD)</u>
Country Clubs	50 GPD per Member
Dance Halls	5 GPD per Seat/User
Doctor, Dentist Office/Exam	.25 GPD/Sq Ft
Eye Care/Physical Therapy/Chiropractor/Psychology/Counseling/Rehab	.10 GPD/Sq. Ft.
Dormitory	100 GPD per user
Factories	25 GPD per Employee 35 GPD per Employee (With Shower)
Fitness/Health Club	10 GPD per user w/showers .10 GPD per sq. ft. w/out showers
Food Service Operations	50 GPD per Seat (24 Hr. Restaurant) 35 GPD per Seat (Not 24 Hr. Restaurant) 25 GPD per seat (no dishware, paper products only) 15 GPD per seat (outside)
Carryout/Delivery/Catering (no seating)	.25 GPD per sq. ft. floor space
Hair Salon, Barber Shop w/ wash stations	100 GPD per work station 250 GPD per work station
Hospitals	250 GPD per Bed
Housing	350 GPD per Single Family Dwelling Unit
Institutions	125 GPD per Resident
Laundries/Laundromats Drycleaners (no washers)	300 GPD per Machine .10 GPD per sq. ft. floor space
Motels/Hotels	60 GPD per Room 100 GPD per Suite

**FIGURE C**  
**Page 3 of 4**

<u>PROJECT TYPE</u>	<u>CALCULATED SEWAGE FLOW IN GALLONS PER DAY (GPD)</u>
Mall, Shopping Center (Enclosed)	.25 GPD/sq. ft. retail or office use (other use as calculated by project type)
Mall Open space (common area)	.05 GPD/sq. ft.
Nursing Homes/Rest Homes	125 GPD per Bed and 25 GPD per Staff
Office Buildings	25 GPD per Employee .10 GPD/Sq. Ft.
Plaza/Shopping Center (Outdoor)	.10 GPD/Sq. Ft. retail or office use (other use as calculated by project type)
Individual Metered Plaza Units	Rated at 350 GPD/unit minimum
Residential Homes/Townhomes	350 GPD per unit
Schools	10 GPD/Sq. Ft. (Tutor learning center) 15 GPD per Student (Elm. & Child Care) 25 GPD per Student (Jr. High & High) 25 GPD per Staff (in Addition to Students) 15 GPD per Student (College)
Service Stations/Auto Maintenance	350 GPD for 1 <sup>st</sup> Service Bay
No car wash	100 GPD for Each Addt'l. Bay
Spas/Nail Shop	
Manicure	25 GPD per work station
Pedicure	50 GPD per work station
Massage/Tanning	5 GPD per work station
Sauna	10 GPD per user
Stores, retail sales	.10 GPD per sq. ft. floor space
Swimming Pools	5 GPD per User 10 GPD per User (With locker room shower)

**FIGURE C**  
**Page 4 of 4**

<u>PROJECT TYPE</u>	<u>CALCULATED SEWAGE FLOW IN GALLONS PER DAY (GPD)</u>
Theaters, Movie House	5 GPD per Seat (Movie House)
Theaters, with restaurant service	25 GPD per seat (no dishware, paper products only)
	35 GPD per seat (with dishware)
Theaters, Drive In	5 GPD per Car Space
Trailer Parks	350 GPD per Space
Vacation Cottages	100 GPD per Cottage
Youth and Recreation Camps	100 GPD per user, single or double occ. Room
	50 GPD per User multi. Occ. Room, 3 or more
Warehouses/Storage Facility	.05 GPD/Sq. Ft. floor space
Individual Metered Warehouse Units	Rated at 350 GPD/unit minimum

**FIGURE D**

**DUPAGE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
WATER/WASTEWATER USE CHARGES  
July 13, 2021**

(Contact Department of Public Works for latest fee schedule – Figure D)

**A. BASE CHARGE**

	Effective January 1, 2021	Effective January 1, 2022
Per billing cycle	\$6.78	\$7.12
Per billing cycle (Burr Ridge Customers Only)	\$7.11	\$7.45

**B. DEPARTMENT PROCESSING FEE (WATER & SEWER)**

\$150.00 per application.

All applications requiring a review, field inspections for disconnection/reconnections and repairs shall be accompanied by a check or paid by credit card for \$150.00. This is a non-refundable fee. All requests for connection fee refunds shall be charged the Department Processing Fee.

**C. WASTEWATER CHARGES**

			Effective January 1, 2021	Effective January 1, 2022
User Charge (metered, per thousand gallons)			\$3.53	\$3.75
User Charge (non-metered, per month)			\$28.24	\$30.00
Sewer Maintenance (metered, per thousand gallons)			\$1.23	\$1.29
Sewer Maintenance (non-metered, per month)			\$9.84	\$10.32
BOD Surcharge (per 100 lbs. of BOD)	\$24.00	\$24.00	These charges will be reviewed in future years based on cost of treatment and disposition at that time.	
SS Surcharge (per 100 lbs. of SS)	\$20.00	\$20.00		
Septic Discharge Fee (per gallon, based upon total volume of truck)	\$0.05	\$0.05		
Leachate Treatment Fee (per gallon, delivered)	\$0.11	\$0.11		
Leachate Treatment Fee (per gallon, picked up at site)	\$0.16	\$0.16		



**FIGURE D**  
**Page 3 of 5**

**I. SEWER CONNECTION FEE**

<b>Department Sewer Connection Fee per RE</b>	<b>\$2,042.00</b>
Glen Ellyn Heights sewer connection fee per RE	\$285.00

**J. SPECIAL CONNECTION FEE**

1. Brookeridge Sanitary Sewer Improvements – contact Department
2. Timberlake Unit C Water Main Improvements – contact Department
3. Timberlake Unit 2 Water Main Improvements – contact Department
4. Babson Park Sanitary Sewer Improvements – contact Department
5. Region 9 East Adams Street Sanitary Extension– contact Department
6. Timberlake Unit A Water Main Improvements – contact Department
7. Glen Road Sewer & Water Study – contact Department
8. 73<sup>rd</sup> Court – contact Department
9. Tri-State Village Water Main – contact Department
10. Villa Roosevelt, 3<sup>rd</sup> St. York Water Main – contact Department
11. Luther Water Main Extension-contact Department
12. Brookbank Sanitary Main Extension-contact Department

**K. NON-RESIDENTIAL DISCHARGE PERMIT  
APPLICATION PROCESSING FEE**

**\$50.00**

**NON-RESIDENTIAL DISCHARGE PERMIT  
ISSUANCE FEE**

**\$100.00**



**FIGURE D**  
**Page 4 of 5**

**L. WATER CONNECTION FEE**

Single Family Residential Charge (plus meter expenses)	\$1,592.00
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Commercial & Multi-Family Charge	Based on Meter size (plus meter expenses)
5/8" meter	\$1,592.00
3/4" meter	\$1,592.00
1" meter	\$3,979.00
1 1/2" meter	\$7,958.00
2" meter	\$12,734.00
3" meter	\$23,876.00
Greater Than 3" meter	Determined By Department

Meter Charge:\*

5/8 x 3/4" Sensus Iperl	\$243.00
3/4" (7.5" lay length) Sensus Iperl	\$247.00
3/4" (9" lay length) Sensus Iperl	\$262.00
1" Sensus Iperl	\$294.00
1 1/2" Sensus OMNI R2	\$635.00
2" Sensus OMNI R2	\$829.00
1 1/2" Sensus OMNI C2	\$1,384.00
2" Sensus OMNI C2	\$1,528.00
3" Sensus OMNI C2	\$1,919.00
4" Sensus OMNI C2	\$3,207.00
6" Sensus OMNI C2	\$5,508.00

If the meter pricing changes, the meter charge will be adjusted by the Superintendent to reflect the change in price. The Superintendent may authorize alternative meter types and shall establish an appropriate charge for those meters.

\*\$175.00 Radio Transceiver required on all meters connected.

Special Service Area Water Connection Fee

In cases where a Special Service Area was formed to construct all or part of the infrastructure required for a new water system, the Water Connection Fee may be reduced to properly account for these expenditures. This adjustment will be determined by the Superintendent and shall be determined on a case-by-case basis.

**FIGURE D**  
**Page 5 of 5**

Department Expenditure Reimbursement

In cases where the Department of Public Works expends money to extend sewer or water service to an area, the Department may adjust connection charges to allow for reimbursement of expenses. The adjustment will be determined by the Department and shall be determined on a case-by-case basis.

**M. PENALTIES/FINES**

Disconnection of sanitary sewer (for non-payment):	\$2,000.00 minimum or actual cost
Reconnection fee for water service during business hours (8:00 am - 2:00 pm- Monday through Friday)	\$100.00
Reconnection fee for water service after business hours:	\$150.00
Reconnection fee for sewer service:	\$2,000.00 minimum or actual cost
Re-inspection fee for non-compliant grease traps:	\$150.00 per inspection
COUNTY sponsored pumping program associated with non-compliant grease traps: (actual COUNTY costs including current COUNTY multiplier)	
Return Check Fee/Credit Card Charge Back Fee:	\$20.00 payment processor fees

**N. Credit Card Payment Convenience Fees**

Credit/Debit card payment processing convenience fee determined by third party provider (pass through of costs).

**O. BIOSOLIDS FEE**

The following fees are to be collected by the County of DuPage for biosolids produced, when such biosolids are available, at Region 9-West Wastewater Treatment Plant. Fees may be waived by the Superintendent if the biosolids are used for experimental purposes and data is provided to the COUNTY:

	<u>Delivered*</u>	<u>Pick-up</u>
Unscreened Compost	\$7.00/cu.yd.	\$2.00/cu.yd.
Screened Compost	\$9.00/cu.yd.	\$4.00/cu.yd. **
Class A Biosolids	\$7.00/cu.yd.	\$0.50/cu.yd.

DuPage County Water/Wastewater Use Ordinance

\*Delivery must be within 1.5 hours travel time from the Region 9-West Wastewater Treatment Plant

\*\*Screened compost may be picked up by Region 9 customers at no cost.

Unscreened compost, screened compost or Class A biosolids availability shall be based upon productivity of the material.

# DUPAGE COUNTY WATER SUPPLY, DISTRIBUTION AND WASTEWATER TREATMENT ORDINANCE



ADOPTION DATE: JANUARY 14, 1986  
LATEST AMENDMENT DATE: JULY 13, 2021

Prepared by DuPage County  
Public Works Committee  
and the Department of Public Works  
421 N County Farm Road  
Wheaton, IL 60187